

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

CASE NO. 22-11285-BB

CIERRA GETER,

Plaintiff-Appellant,

v.

SCHNEIDER NATIONAL CARRIERS, INC.,

Defendant-Appellee.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
HONORABLE STEVE C. JONES
CASE NO. 1:20-cv-01148-SCJ

APPELLANT’S APPENDIX – VOL. II

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CIERRA GETER v. SCHNEIDER NATIONAL CARRIERS, INC.

Eleventh Circuit Court of Appeals Case No. 22-11285-BB

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CIERRA GETER,

Plaintiff,

vs.

CIVIL ACTION FILE

NO. 1:20-CV-01148-SCJ-JSA

SCHNEIDER NATIONAL
CARRIERS, INC,

Defendant.

REMOTE DEPOSITION OF TIFFANY KITCHENS

Monday, April 19, 2021

Commencing at 2:55 p.m.

Concluding at 3:35 p.m.

Witness Located at Personal Residence
162 Sunset Ridge Drive
Newnan, Georgia 30263

Reported by: Mary Beth Cook, RPR

CCR# 5079-8707-4272-4608

COMBS COURT REPORTING, INC.

112 Pierce Avenue
Macon, Georgia 31204
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TIFFANY KITCHENS

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1 MS. LEGARE: Hi, Ms. Kitchens. I'm Cheryl
2 Legare, and I am here representing Cierra
3 against Schneider, and you are a witness in
4 this case.

5 If you wouldn't mind swearing in the
6 witness.

7 (Whereupon, the witness was sworn.)
8

9 TIFFANY KITCHENS,
10 having been produced and first duly sworn,
11 testified as follows:
12

13 CROSS-EXAMINATION

14 BY MS. LEGARE:

15 Q Ms. Kitchens, can you please state your
16 full name for the record.

17 A Tiffany Nicole Kitchens.

18 Q And what is your current address?

19 A 162 Sunset Ridge Drive, Newnan, Georgia
20 30263.

21 MS. LEGARE: And, Pete, did you want to
22 read and sign?

23 MR. MILIANTI: Yes, please.

24 BY MS. LEGARE:

25 Q Ms. Kitchens, have you ever been deposed

1 still -- even though it's still an area planning
2 manager, same position, it's just for different
3 shifts, you know.

4 Q Were you basically filling in holes in the
5 schedule?

6 A Essentially, yes.

7 Q Let me ask you this: When you were
8 working support shift, is it possible that you could
9 work two or more different shifts in a week?

10 A Yes. You would have a primary schedule.
11 If we had gaps in coverage, they would ask us to
12 work to fill in, but I wasn't on first shift when I
13 initially came back.

14 Q Does Schneider still have a support shift?

15 A Yes, we do. It may be called something
16 different now. The responsibilities are still
17 pretty similar.

18 Q Did you change from support shift to a
19 different shift at any point after you came back in
20 2014?

21 A Yes, in 2016.

22 Q And what did you change to?

23 A What was that?

24 Q What shift did you change to at that
25 point?

1 A I went from second shift to first shift,
2 and my schedule was essentially Monday through
3 Friday. When I went to first shift, it went to
4 Monday through Friday. I believe it was seven to
5 four.

6 Q When you moved to first shift?

7 A Yes.

8 Q What was your schedule when you were on
9 second shift?

10 A When I was on second shift initially for
11 the first two years -- I'm trying to remember what I
12 had. I think it was Friday through Tuesday, and I
13 would start my day probably either two or three and
14 then work eight to nine hours -- nine hours with the
15 lunch factored in.

16 I mean, since we were salary, that's the
17 base schedule. I'm going to elaborate. That's the
18 base schedule, but we're required to finish our work
19 obviously. If we had something running behind or we
20 had a meeting, it could run longer than that.

21 Q Understood.

22 A That's the only caveat I would add.

23 Q Who did you report to on second shift?

24 A When I initially came back, that would be
25 Greg Cochran.

1 Q And he left after some period of time,
2 right?

3 A He did.

4 Q And then who did you report to?

5 A The only two leaders I have had since I
6 returned in 2014 was Greg Cochran initially, and
7 then when I went to first shift, it's been Rodney
8 Dunn since, and that was in 2016, I believe around
9 this time. It would either be April -- it was by
10 the summer for sure.

11 Q And I understand in 2020 that the area
12 planning manager position itself was moved to Green
13 Bay?

14 A Correct.

15 Q What position were you holding at the time
16 that happened?

17 A I was an area planning manager. They had
18 changed it to another title once again. It's not
19 initially the same thing, and then it moved to Green
20 Bay.

21 Q Were you offered the opportunity to move
22 to Green Bay at that time?

23 A I was.

24 Q And you turned that down?

25 A I did, because of my mother.

1 right?

2 A For the most part. We had -- let me see.
3 I'm trying to remember. So -- can you repeat the
4 question just so I'm.

5 Q Yeah. The way I understand -- and maybe
6 it's different for your position, but the way that I
7 understood from Mr. Torrance and another witness was
8 that in the beginning of Covid you all worked from
9 home full time, then partway through Covid you began
10 working from home part of the week, and now as of
11 last March --

12 A Back full time.

13 Q Right?

14 A That's correct, yes.

15 Q Let's go -- I want to rewind a little bit
16 and talk about the reason. Ms. Geter has identified
17 you as someone who worked a reduced schedule for a
18 period of time in 2018. Is that true?

19 A Can you define reduced schedule?

20 Q Less than 40 hours a week.

21 A No.

22 Q So you were full time?

23 A I was full time. I had a period of leave
24 initially where I was out of work for I believe it
25 was three weeks.

1 Q Okay.

2 A FMLA was approved. All that was taken
3 care of, and then I returned -- I think that was the
4 end of July it started, and I came back the
5 beginning of August, but that wasn't the exact
6 dates.

7 Q That's fine.

8 A And then in -- when was it? The end of
9 October of that year my mother had a very severe
10 stroke and ended up in ICU at Emory in Atlanta for a
11 very long period of time. But during that time I
12 was working -- I was working remotely from the
13 hospital, but I didn't -- I was working full time.

14 Q Were you working Monday through Friday
15 during that time?

16 A Yes.

17 Q And how long were you working remotely
18 from the hospital?

19 A I honestly don't know. It was in my FMLA
20 that I had filed for just to, you know, cover me to
21 help with mother. She ended up staying in there a
22 lot longer -- she kept having setbacks, so she ended
23 up staying in there a lot longer than the doctors
24 originally projected, even though it was pretty bad.

25 Q And I'm sorry that I even have to ask

1 these questions, but was it a few weeks, was it a
2 few months?

3 A It was months where she was in there, in
4 ICU, and she was back and forth between being
5 intubated and not, and we almost lost her several
6 times, so it was kind of -- and they had issues with
7 the shunt that they put in her skull.

8 Q That's terrible. I'm sorry.

9 A That's okay. Not my favorite thing to
10 relive, but we will do it.

11 Q During that time you had permission
12 from -- would it have been from Mr. Dunn to work
13 remotely?

14 A Yes. I would run it by Mr. Dunn, Rodney,
15 and then I filed paperwork with HR in Green Bay for
16 that.

17 Q Now, so you were approved for FMLA during
18 that time, but you were actually not using your
19 FMLA; you were working?

20 A Yes. I was approved for it when we
21 thought that maybe she would get out, and I would
22 have to care for her.

23 Q Right.

24 A Because my dad can't do it all himself.
25 They're both senior boomers, so he can't do it, and

1 he needed a break.

2 Q So you were approved for intermittent FMLA
3 because you thought you were going to assist with
4 her care at home.

5 A Correct. And that ended up never
6 occurring. And, in fact, I want to say -- now, this
7 is a guesstimation. I want to say she was in ICU
8 for probably four months-ish, and then after that
9 she moved to a long-term care facility, so it was
10 quite an extensive period of time.

11 Q And when she moved to a long-term care
12 facility, did you continue to work remotely?

13 A No.

14 Q You came back to the office at that point?

15 A I did.

16 Q And because she was in long-term care, did
17 you need to use your intermittent FMLA at all at
18 that point?

19 A No. Anytime that I would know that I
20 would have to be out of work, I would just use
21 vacation since I had that available. But I was
22 not -- it was not a reduced schedule.

23 Q And that would have only happened if you
24 had to care for her at home?

25 A Correct.

1 Q And you understood that as an APM you were
2 expected to work at least 40 hours a week; is that
3 right?

4 A Yes.

5 Q And in the 2018-2019 time period, you
6 worked the first shift as an APM; is that correct?

7 A Correct.

8 Q And I think you testified your schedule
9 was Monday through Friday; is that right?

10 A That is correct.

11 Q And during that time period of 2018 to
12 2019, what time would you start and finish your day
13 on average?

14 A So that's where it gets -- sometimes I
15 would do planning from the house. I worked a lot.
16 My schedule would have been either seven to four or
17 six to three, something like that, but I worked a
18 lot. Sometimes I would log in, you know, if I
19 couldn't get the planning done I had to go and
20 finish the planning for the morning, whatever was
21 needed.

22 Q Understood. And when you worked as an APM
23 in the 2018-2019 time period on the first shift, you
24 worked with other APMs; is that correct?

25 A That is correct.

1 Q Did you ever work alone as an APM on the
2 first shift during the 2018 through 2019 time
3 period?

4 A No.

5 Q During the 2018-2019 time period, did you
6 ever work with other APMs who worked a part-time
7 schedule?

8 A APMs?

9 Q Yes.

10 A No.

11 Q And as an APM in the 2018-2019 time
12 period, just so the record is clear, you never
13 reported to Travis Torrance; is that correct?

14 A No, I never reported to Travis.

15 Q During Ms. Geter's deposition, she claimed
16 that in July and August -- July or August of 2018
17 you started working a reduced schedule, and she
18 believes you were working three or four days per
19 week. Is her testimony accurate?

20 A In July?

21 Q Starting in July or August of 2018,
22 Ms. Geter testified you started working a reduced
23 schedule of three or four days per week. Is that
24 testimony accurate?

25 A No.

1 Q And during that time period, the 2018
2 through 2019 time period, how many days per week
3 were you, in fact, working?

4 A I was working at least five.

5 Q You testified about this support shift
6 role, but you don't know what the exact title is; is
7 that right?

8 A Mm-hmm. This was an old terminology we
9 used to use to indicate something other than first
10 shift. The company may have moved away from that.
11 It's just old terminology that kind of gets stuck
12 after a while when you've been somewhere for a long
13 period of time.

14 Q Understood. Do you know whether what you
15 call the support shift was in place in the 2018-2019
16 time period? Do you have any knowledge of that?

17 A No.

18 Q Do you have any knowledge as to whether or
19 not anyone at Schneider tried to fill Ms. Geter's
20 absences in the 2018-2019 time period with some
21 position referred to as support shift? Do you have
22 any knowledge of that?

23 A I have no knowledge.

24 Q You mentioned that you're currently an
25 SOS; is that right?

EXHIBIT F

Geter, Cierra v. Schneider National Carriers Inc.

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CIERRA GETER,

Plaintiff,

vs.

CIVIL ACTION FILE

NO. 1:20-CV-01148-SCJ-JSA

SCHNEIDER NATIONAL
CARRIERS, INC,

Defendant.

REMOTE DEPOSITION OF SARAH KOPF

Monday, April 19, 2021

Commencing at 12:57 p.m.

Concluding at 1:33 p.m.

Witness Located at Personal Residence
23 Meadow View Street
Newnan, Georgia 30263

Reported by: Mary Beth Cook, RPR
CCR# 5079-8707-4272-4608

COMBS COURT REPORTING, INC.
112 Pierce Avenue
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SARAH KOPF

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1 MS. LEGARE: I'm Cheryl Legare, and I
2 represent Cierra Geter against Schneider, and
3 you're here just because you've been identified
4 as a witness in the case, and I'm here to ask
5 you what you might know.

6 Are we reserving -- actually can you swear
7 the witness, please.

8 (Whereupon, the witness was sworn.)

9 MS. LEGARE: Are we reserving objections,
10 Pete?

11 MR. MILIANTI: Yes, that's fine.

12 MS. LEGARE: I'm assuming you want to read
13 and sign?

14 MR. MILIANTI: Yes.

15 MS. LEGARE: Okay.

16
17 SARAH KOPF,
18 having been produced and first duly sworn,
19 testified as follows:
20

21 CROSS-EXAMINATION

22 BY MS. LEGARE:

23 Q Ms. Kopf, can you state your full for the
24 record, please.

25 A Yes. Full name is Sarah Marie Kopf.

1 Schneider about the issues in Ms. Geter's case
2 outside the presence of your lawyer?

3 A No, ma'am.

4 Q And you understand that you're under oath
5 today just as if we were in court?

6 A Yes, ma'am.

7 Q All right. How long have you been
8 employed with Schneider?

9 A Three years and a little over a month. My
10 three-year anniversary was March 5th.

11 Q So does that mean you started in 2018?

12 A Yes, ma'am.

13 Q What was your first position with
14 Schneider?

15 A I was an area planning manager for second
16 shift.

17 Q When you were hired and began working for
18 Schneider, who did you report to on second shift?

19 A Travis Torrance.

20 Q And how long did you hold the second shift
21 area planning manager position?

22 A I held that for just about exactly two
23 years when I became a driver team leader on
24 March 8th of last year, of 2020.

25 Q What's the difference -- at a high level,

1 Mr. Torrance reported to at that time?

2 A Doug Horton.

3 Q And then he reported to Ms. Biskey-Rose?

4 A Yes, ma'am.

5 Q So tell me about what you understood about

6 an employee's ability to work from home prior to

7 Covid. I know Covid is a totally different world.

8 A So, I mean, I can't speak for other people

9 how they went about getting permission to work from

10 home. I know the few times that I was able to work

11 from home the power was out at the office.

12 Obviously we couldn't do our job if the power was

13 out. Another instance would be if I had a family

14 emergency came up, and instead of taking a day I

15 offered to work from home. But as far as like -- I

16 would have to just go to my manager, to Travis

17 Torrance, say, hey, you know, can I work from home

18 on this day for this reason, like I said, if an

19 emergency came up with the power going out.

20 Q And so Travis approved it for you?

21 A Yes, ma'am.

22 Q Do you know if there's any -- if you were

23 required to document in any way when you were

24 working from home? For example, if you called

25 Travis and said, hey, I've got a family emergency,

1 a 3 p.m. to midnight, and then they needed earlier
2 coverage in the afternoon, so then I would work,
3 like, a one to ten or two to eleven.

4 Q And it's my understanding that there were
5 occasions that you would work alone as an APM on
6 Saturday and Sunday nights; is that right?

7 A Yes, sir.

8 Q Do you recall any instance when you were
9 scheduled to work alone that you asked to work from
10 home?

11 A No.

12 Q And if we can just generally talk about
13 your job duties as an area planning manager. Can
14 you just generally -- were you responsible for any
15 type of drivers or any type of market?

16 A I was responsible for planning the whole
17 southeast market which was Atlanta, Charlotte,
18 Savannah, Winter Haven, Jacksonville and Miami.

19 Q And when you were an APM, were there
20 specific job duties that you believe you needed to
21 perform in the office?

22 A Yes. At the time if a driver needed an
23 extra key for a truck, that was actually behind a
24 lock box that only office associates were able to
25 get to. And before Covid the printer to print off

1 paperwork was in the office behind -- we had a
2 locked door between the office and the driver
3 lounge, and the printer to print off paperwork was
4 in our office, so we would need to be there to print
5 paperwork off for the drivers.

6 Q And with respect to getting keys for
7 drivers, how frequently would that come up?

8 A Pretty frequently. Every night if there
9 was a breakdown, their truck wouldn't start, we had
10 drivers who shared trucks, so if the previous person
11 was not back at the yard in time, you know, they
12 would need a loaner truck for the night, and we
13 would need to provide a key for that.

14 Q And would you also consider having face
15 time with the fleet of drivers with whom you
16 interacted to be an important function of your job?

17 MS. LEGARE: Objection.

18 THE WITNESS: Yes, it was.

19 BY MR. MILIANTI:

20 Q And why was that?

21 A The drivers, if they couldn't get in, you
22 know, through the phone line or through the
23 messages, they would come in the office and ask for
24 help. Or if an emergency came up and they needed to
25 leave, they would come in and speak to us. If they

1 needed paperwork, they would like to come in and
2 actually speak to somebody, you know, face to face
3 in case something happened on the yard or if they
4 couldn't get through the phones or messages.

5 Q And would it be accurate to say that the
6 drivers expected you and the other APMs to be in the
7 office so they could ask you questions and get
8 realtime answers to their questions?

9 A Yes.

10 Q And would it be accurate to say that
11 during the time period you worked as an APM at
12 Fairburn, developing a relationship with the drivers
13 was always an expectation of the APM position?

14 A Yes.

15 Q And I believe you testified that you never
16 worked a reduced schedule; is that right?

17 A Yes.

18 Q All right. And during the time period
19 that you worked as an APM, I believe you testified
20 that there were a few occasions when you worked from
21 home; is that correct?

22 A Yes.

23 Q You didn't have any kind of a set schedule
24 where you would work from home; is that right?

25 A No.

1 Q For instance, you didn't request to work
2 one day a week at home; is that correct?

3 A Correct.

4 Q And you didn't request to work one day a
5 month from home; is that correct?

6 A Correct.

7 Q So, in other words, as an APM pre-Covid,
8 of course, you never consistently worked from home;
9 is that right?

10 A Right.

11 Q And how many times do you believe
12 pre-Covid, so during -- you started in 2018. So
13 from March of 2018 until March of 2020, how many
14 times do you believe you worked from home?

15 A That's really hard to answer because I
16 don't -- it's hard to answer because -- I would say
17 maybe a handful of times, maybe four or five at the
18 most. It wasn't very common. I wasn't really a fan
19 of working from home back then.

20 Q Okay. During Ms. Geter's deposition she
21 testified that from the spring of 2018 until the
22 spring of 2020, you worked from home to care for
23 your children once or twice per month. Is
24 Ms. Geter's testimony accurate?

25 A No, not once or twice a month, no.

EXHIBIT G

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

CIERRA GETER,)	
)	
Plaintiff,)	Civil Action File No.
)	1:20-cv-01148-SCJ-JSA
)	
v.)	
)	
SCHNEIDER NATIONAL)	
CARRIERS, INC.)	
)	
Defendant.)	

**DECLARATION OF CHRISTINE SCHNEIDER IN SUPPORT OF
DEFENDANT’S STATEMENT OF UNDISPUTED MATERIAL FACTS**

I, Christine Schneider, depose and state as follows:

1. My name is Christine Schneider. I am over the age of eighteen and am otherwise competent to testify to the facts set forth in this Declaration. All statements contained in this Declaration are true and correct based upon my personal knowledge.

2. I am currently employed by Schneider National Carriers, Inc. in the role of Benefits Manager – Leave Administration. I have held this position since 2009.

3. In my capacity as Benefits Manager – Leave Administration, I am responsible for leading a team of three Leave Analysts and two Administrative Assistants. My team is referred to as the HR Leave Administration Team.

4. The HR Leave Administration Team is responsible for ensuring that Schneider properly administers federal and state family medical leave to associates. The HR Leave Administration Team is also responsible for engaging in the interactive process with associates when they request workplace accommodations.

5. In the 2018 and 2019 time period, all associate workplace leave and accommodation requests were administered by the HR Leave Administration Team.

6. If a Leave Analyst has questions regarding an associate's workplace accommodation request or restrictions, it is the regular practice of the Leave Analyst to communicate with the associate and/or the associate's healthcare provider to obtain additional information or clarification so that Schneider can determine whether it can accommodate a particular request.

7. During the 2018 through 2019 time period, Leave Analyst Anissa Gauthier was assigned to Cierra Geter's case file.

8. Ms. Gauthier worked under my direct supervision.

9. When Ms. Gautier sent email communications to Ms. Geter and/or Ms. Geter's healthcare provider regarding Ms. Geter's accommodation requests, Ms. Gauthier copied the "HR Leave Administration Team," which is an email box that is shared by all members of the HR Leave Administration Team. I have access to all emails sent to or from the "HR Leave Administration Team" address.

10. Attached hereto as Exhibit 1 is a true and accurate copy of email communications that Ms. Gauthier had with Ms. Geter and Ms. Geter's physician, Dr. Cassandra Wanzo, during the March and April 2019 time period. I have reviewed the contexts of Exhibit 1.

11. The records attached hereto as Exhibit 1 are kept in the course of Schneider's regularly conducted business activity and are maintained in a safe and secure location.

Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 7, 2021.

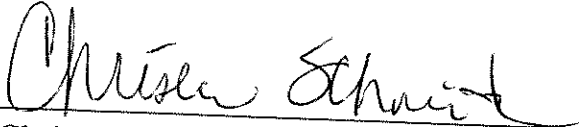

Christine Schneider

EXHIBIT 1
to
C. Schneider
Declaration

Jenquin, Dawn

From: Gauthier, Anissa
Sent: Tuesday, April 02, 2019 2:01 PM
To: HR Leave Administration Team; Cassandra Wanzo
Cc: Geter, Cierra
Subject: Cierra Geter additional information needed
Attachments: 720-manager-area-planning.docx; Geter, Cierra 296995 2018-1008 Accommodation_follow up on restriction letter.pdf

Importance: High

Dr. Wanzo,

On 4/1/2019, you provided a return to work form that indicated that Cierra Geter needs to remain working a partial schedule of 3 days per week through 6/5/2019. We have been accommodating Cierra working 3 days per week since 1/2/2019. The end date of this restriction has been extended 4 times and is appearing to be a permanent restriction.

There is additional questions that do need to be answered to determine if we can extend an accommodation. I have left a few voicemails in hopes to reach you live to talk through the restrictions. Please see the attached letter and physician statement. I have also attached her job description as well. Please complete and fax back to us by Monday, 4/8.

Thanks,
Anissa

HR Leave Administration Team - Anissa
Schneider www.schneider.com
PH: 920-592-4571 or 800-558-6701 x592-4571
FAX: 920-403-8903
mail stop: US.GRB.01.03.21

Schneider associates, visit the [US & CN BENEFITS PORTAL](#) for important benefit information.

The information contained in this email message may be privileged, confidential and protected from disclosure, and no waiver of any privilege is intended. If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited. If you think that you have received this email message in error, please email the sender and delete all copies.

From: HR Leave Administration Team
Sent: Monday, March 18, 2019 3:05 PM
To: 'Cassandra Wanzo' <administrator@DrCassandraWanzo.onmicrosoft.com>
Cc: HR Leave Administration Team <HRLeaveAdministrationTeam@schneider.com>
Subject: RE: C.Geter 3.9.19
Importance: High

Dr. Wanzo,

I would like to talk to you briefly about Cierra Geter's reduced schedule. Her accommodation ends on 3/19/2019 and we need additional information from you on her schedule availability to work throughout the week.

Please call me at 920-592-4571.

Thanks,

HR Leave Administration Team - Anissa

Schneider www.schneider.com

PH: 920-592-4571 or 800-558-6701 x592-4571

FAX: 920-403-8903

mail stop: US.GRB.01.03.21

Schneider associates, visit the [US & CN BENEFITS PORTAL](#) for important benefit information.

The information contained in this email message may be privileged, confidential and protected from disclosure, and no waiver of any privilege is intended. If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited. If you think that you have received this email message in error, please email the sender and delete all copies.

From: Cassandra Wanzo [<mailto:administrator@DrCassandraWanzo.onmicrosoft.com>]

Sent: Saturday, March 09, 2019 11:42 AM

To: HR Leave Administration Team <HRLeaveAdministrationTeam@schneider.com>

Subject: C.Geter 3.9.19

Good Afternoon

Attached is the paperwork for C. Geter. Please let us know if anything else is needed.

Kelly Jordan

Administrative Assistant

Dr. Cassandra Wanzo

602 Bombay Lane

Roswell Georgia 30076

Office: (678) 566-1440

Fax: (678) 566-1442

*****This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.*****



Job Description

MANAGER, AREA PLANNING

TYPE OF ROLE: Exempt (Salaried)

DEPARTMENT(s): Bulk, Dedicated, Intermodal, Van Truckload

REPORTS TO: Various

JOB SUMMARY:

The Area Planning Manager is accountable for establishing, communicating and executing the plan for a specific geographic region or a specific customer by matching available driver capacity and equipment with customer load tenders. As the recognized expert on freight flows for that customer, the APM collaborates with Operations, Sales, Pricing, and Customer Service to ensure overall key factor success.

ESSENTIAL JOB DUTIES AND RESPONSIBILITIES:

- Establish the market plan to include: shift direction, priority of freight, load and stage, driver calendar requests, etc. Continually assess market conditions and performance, and adjust plan accordingly.
- Be recognized expert in role. Provide expertise on new opportunities and proactively identify potential solutions that maximize overall value for Schneider.
- Assign freight to drivers in accordance with the market plan to maximize all aspects of the value triangle (profitability, customer satisfaction, and driver retention). All decisions also need to be made in accordance with Schneiders #1 core value: safety.
- Generate actions to improve key factor results such as: service, unused hours and unbilled miles.
- Communicate market plan to Customer Service, Operations, and support shift Transportation Planners.
- Be technical expert in dispatch utilization tools and analytical planning dashboards.
- Provide solicitation guidance to Customer Service and Inside Sales and make decisions on load acceptance (including unique situations or same day requests).
- Establish priority and direction for trailer assignment, and assign trailers for dispatch.
- Set trailer plans with customer and proactively address poorly utilized trailers or inefficient trailer pools.
- Collaborate with CS and Operations to successfully onboard new customers (to include participation in start-up calls).
- Possess an intimate understanding of customers and unique needs.
- Identify root cause of poor service trends and collaborate with Operations and Customer Service to develop action plans to restore service to desired levels.
- Coach CS, Operations, Box associates, and Transportation Planners on opportunities for key factor improvement in market (i.e. load creation or appointment guidance, driver availability direction, chronic customer or driver trends, etc.)
- Make spot pricing decisions, and provide recommendations to pricing managers on long-term pricing opportunities and market strength indicator based on observed market trends.
- Provide feedback to Pricing Managers / Sales / CS / MM on long-term challenges and opportunities in assigned market (i.e. flows needed for driver calendars, needed lanes, day of week variability, etc).
- This description is not an exhaustive or comprehensive list of all job responsibilities, tasks, and duties.

- Other duties and responsibilities may be assigned and the scope of the job may change as necessitated by business demands.
- Maintain regular and consistent attendance and timeliness.
- Exhibit behavior in alignment with our core values at all times.

SPECIALIZED KNOWLEDGE:

- Bachelors degree or equivalent work experience in a related field required
- 1-2 years of customer service, dispatch and/or operations experience

EDUCATION LEVEL:

Bachelor or equivalent work experience

EXPERIENCE:

1-3 Years

SKILLS/BEHAVIORS NECESSARY TO PERFORM JOB

Abilities or qualities an associate must possess in order to perform the essential job duties - Listed by Core Competency

COMMUNICATION

Effective and efficient oral communication skills

Effective and efficient written communication skills

Ability to develop relationships through interpersonal skills

Effective listening skills

DIVERSITY & INCLUSION/TEAM PLAYER

Collaboration skills

Ability to work effectively in a team environment

POSITIVE IMPACT

Ability to positively impact others

Influencing skills, resulting in a positive outcome

Take initiative, a self-starter

Ability to work well in a fast paced, high pressure environment

PROBLEM SOLVING & DECISION MAKING

Problem solving skills

Decision making skills (make best value decisions)

Analytical skills

Strategic thinking skills

Ability to analyze various courses of action and make recommendations

Project Management skills

Sound judgement

RESULTS ORIENTATION

Ability to manage multiple priorities and prioritize workload

FUNCTIONAL & TECHNICAL EXPERTISE

Customer service skills

Ability to work independently with little supervision

OTHER

- Strong financial and analytical skills. Able to identify a root cause from a subset of data and establish a relevant action plan to correct root cause of issue.
- Ability to evaluate a situation and create innovative, balanced solutions
- Strong work ethic.

Generated: 2019-03-14 05:07:20.641000

Last Updated: 2017-11-24 15:34:07



4/2/2019

HR-010321-LA
TO: Cierra Geter
5008 Lower Elm Street
Atlanta, GA 30349

RE: Request for Accommodation

Dear Cierra,

You are currently approved on an accommodation for your reduced schedule of 3 days through 3/19/2019. Below is the timeline of information that has been received during your leave of absence and your partial return to work.

- Your continuous leave of absence was approved from 10/9/2018 through 12/31/2019 which exhausted your 12 weeks of FML.
- On 12/17/2018, HR leave team received a return to work form from your doctor that indicated you can return to work 3 days per week effective 1/2/2019 through 2/13/2019. HR leave team approved this accommodation on 12/18/2019.
- On 1/21/2019, HR leave team received an updated return to work form from your doctor that indicated your partial schedule of 3 days remains in effect through 3/19/2019. HR leave team approved this extension on 1/29/2019.
- On 3/11/2019, HR leave team received an updated return to work form from your doctor that indicated your partial schedule of 3 days remains in effect through 4/30/2019. This extension is under review.
- On 4/1/2019, HR Leave team received updated information from your doctor that indicated your partial schedule of 3 days remains in effect through 6/5/2019. This extension is under review.

With the multiple extensions of partial return to work schedule, this is appearing to be a permanent need.

Please take the below physician statement to your doctor to complete the additional questions that are needed for your accommodation extension request.

Please provide me with the requested information from you and your health care provider by no later than 4/8/2019.

Thank you for your cooperation with the above. Please feel free to call me with any questions.

Sincerely,

Anissa

Leave Analyst

Schneider - HR Leave Administration Team

Phone: 920-592-4571 Fax: 920-403-8903

HRLeaveAdministrationTeam@Schneider.com



Dear Physician,

On 4/1/2019, you provided a return to work form that indicated that Cierra Geter needs to remain working a partial schedule of 3 days per week through 6/5/2019. We have been accommodating Cierra working 3 days per week since 1/2/2019. The end date of this restriction has been extended 4 times and is appearing to be a permanent restriction.

In order to assist Schneider in evaluating whether it can provide, Cierra Geter, with a reasonable accommodation, Schneider requests that you review the below questions and answer the information specific to the status and need for an accommodation for Cierra.

Physician's Statement:

Patient's/Associate's first and last name: _____ Cierra Geter _____

1. Provide a statement indicating the current nature of the condition, as well as a statement of what, if any, specific current or future limitations that condition places on the activities and the ability to engage in work or other functions:

2. Provide a statement of any specific job duties that Cierra is unable to perform because of their medical condition (Please see attached job description). Provide information as to why she cannot return to work full time (4 - 10 hour days).

3. She is currently working on Wednesday, Thursday and Friday. Is there a different day that she is available to work if she can work 4 days? Can she work Monday-Friday, 8 hour schedule?

4. Provide a specific description of what has changed or what went wrong that the partial work schedule (3 days) restriction effective date continues to push out for Cierra.

5. Is the patient following the recommended treatment plan to improve their condition?



5. What is the **total** length of time the patient will need to work 3 days per week from this point forward in your best professional estimate?

_____ Permanent restriction _____ # of Month(s) _____ # of Week(s)

6. Provide a detailed statement as to whether the patient is making progress toward their return to work and the percentage of likelihood of them returning to their current position full time by 4/10/2019 (this date is 90 days of accommodating a partial schedule of 3 days).

Note: A statement that the patient will not be able to return to work until "at least" a given date is not helpful in the context of this process. Such assessment may be deemed the equivalent of a statement that the patient will be unable to return to work full time (4 – 10 hour days) for an indefinite period.

Estimated Return to Work Date: _____ Percent Likely of Return: _____

Physician's Printed Name

Physician's Phone Number

Physician's Fax Number

Physician's Signature

Date

Return to:

Schneider - HR Leave Administration Team

P.O. Box 2545 Green Bay, WI 54306-2545

Phone: 800-558-6701 ext 592-4571

Fax: 920-403-8903;

Email: HRLeaveAdministrationTeam@Schneider.com

EXHIBIT H

Page 1

1 IN THE UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF GEORGIA
3 ATLANTA DIVISION

4 CIERRA GETER,
5 Plaintiff,

6 vs. Civil Action File No.
7 1:20-cv-01148-SCJ-JSA
8 SCHNEIDER NATIONAL CARRIERS,
9 Defendant.

- - -

10 Deposition of ASHLEY MARIE JANSSEN,

11 Taken by Cheryl B. Legare,

12 Before Shannon E. Jordan,
13 Certified Court Reporter,
14 Via Veritext Virtual Videoconferencing,
15 On Thursday, April 8, 2021,
16 Beginning at 2:00 p.m. & ending at 3:08 p.m.

- - -

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1 APPEARANCES OF COUNSEL

2 For the Plaintiff:

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ASHLEY MARIE JANSSEN

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(End of Index)

1 April 8, 2021

2 2:00 p.m.

3 (Whereupon the reporter provided a written
4 disclosure to all counsel pursuant to
5 Article 10.B. of the Rules and Regulations
6 of the Board of Court Reporting.)

7 THE COURT REPORTER: Due to the need
8 for this deposition to take place remotely
9 because of the government's order for social
10 distancing, the parties will stipulate that the
11 court reporter may swear in the witness over
12 Veritext virtual videoconferencing and that the
13 witness has verified that she is, in fact, Ashley
14 Marie Janssen.

15 ASHLEY MARIE JANSSEN,

16 being first duly sworn, was examined and
17 testified as follows:

18 EXAMINATION

19 BY MS. LEGARE:

20 Q Good afternoon, Ms. Janssen. I'm
21 Cheryl Legare, and I represent Cierra Geter in
22 the lawsuit that she brought against Schneider
23 National Carriers in the Northern District of
24 Georgia, and that's why we're here today. You're
25 a witness in the case.

1 Q And it looks like the HR leave team
2 did respond regarding the request for more
3 information from Dr. Wanzo; right?

4 A Correct.

5 Q And they were not working until March
6 30, 2019?

7 A According to that message, yes.

8 Q According to that. It looks like you
9 gave that information to Mr. Torrence and just
10 told him you would wait until the 30th; right?

11 A Correct.

12 Q Tell me, I think you said you had a
13 call with Ms. Biskey Rose and Mr. Torrence
14 regarding, and I think it was Ms. Geter had
15 requested to continue to work three days a week
16 until June 5th; right?

17 A Correct.

18 Q Tell me what you recall about the
19 conversation with Ms. Biskey Rose and
20 Mr. Torrence relating to that?

21 A I asked them if there was any
22 possible way they could continue the
23 accommodation past -- well, at this point we were
24 already past, so this was the last approval, so
25 continue to approve that schedule until June.

1 They had said that they are not able
2 to continue to carry the workload and the
3 schedule and all of the work she's not able to do
4 any longer. And I asked if there was other
5 options for them to fill that work, i.e. a temp.

6 They had said, and I agreed, knowing
7 I've had contingent staffing experience before,
8 that due to the time it would take to get a temp,
9 find a temp, train a temp and then place them on
10 a support shift night by themselves would not be
11 something we would be able to do not knowing if
12 this is going to extend past June, seeing it's
13 already extended three times.

14 Q Was there some concern that it would
15 take too long to find a temp?

16 A Not finding the temp, training a
17 temp, and then having a temp by themselves on
18 that schedule.

19 Q I mean, is there any reason that
20 another employee couldn't have been moved to the
21 solo shift and have the temp work the shift that
22 was not solo?

23 A If they were available to do so, and
24 my guess is if somebody wasn't available to do
25 so, then we wouldn't have been able to do that.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

CIERRA GETER,)	
)	
Plaintiff,)	Civil Action File No.
)	1:20-cv-01148-SCJ-JSA
)	
v.)	
)	
SCHNEIDER NATIONAL)	
CARRIERS, INC.)	
)	
Defendant.)	

NOTICE OF FILING

COMES NOW, Schneider National Carriers, Inc. (“Schneider”) and files the following in support of its Motion for Summary Judgment:

1. March 9, 2021 Deposition of Cierra Geter (See Exhibit A);
2. April 6, 2021 Deposition of Travis Torrence (See Exhibit B);
3. April 8, 2021 Deposition of Ashley Janssen (See Exhibit C);
4. April 19, 2021 Deposition of Sarah Kopf (See Exhibit D);
5. April 19, 2021 Deposition of Tiffany Kitchens (See Exhibit E);
6. April 21, 2021 Deposition of Marianne Biskey-Rose (See Exhibit F);
7. Declaration of Christine Schneider (See Exhibit G); and
8. Declaration of Travis Torrence (See Exhibit H).

The Originals are being maintained by counsel because this action is governed by electronic filing. Upon request, McGuireWoods LLP will paper file the originals with the Clerk of Court.

Date: June 7, 2021

Respectfully submitted,

By: /s/ Peter A. Milianti
Peter A. Milianti (admitted *pro hac vice*)
Melissa M. Weiss (admitted *pro hac vice*)
McGuireWoods LLP
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Chicago, IL 60601
T: 312-849-8100
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Suite 2100, Promenade
Atlanta, GA 30309-3534
T: (404) 443-5738
F: (404) 443-5773
mlallen@mcguirewoods.com

Counsel for the Defendant

**CERTIFICATE OF SERVICE AND
COMPLIANCE WITH LOCAL RULE 5.1B**

I certify that on June 7, 2021, I electronically filed the foregoing *Notice of Filing* with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to the following attorneys of record:

Cheryl B. Legare
cblegare@law-llc.com

I further certify that I prepared this document in 14 point Times New Roman font and complied with the margin and type requirements of this Court.

Respectfully submitted,

By: /s/ Peter A. Milianti
Peter A. Milianti (admitted *pro hac vice*)
Melissa M. Weiss (admitted *pro hac vice*)
McGuireWoods LLP
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mlallen@mcguirewoods.com

Counsel for the Defendant

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

CIERRA GETER,)CASE NO.:
)20-CV-01148-SCJ-JSA
Plaintiff,)
)
vs.)
)
SCHNEIDER NATIONAL CARRIERS,)
INC.,)
)
Defendants.)
_____)

The video conference deposition of CIERRA GETER taken pursuant to Notice and agreement of counsel for any and all purposes allowed under the Georgia Civil Practice Act; the reading and signing of the deposition is being reserved; taken before Morgan Spriggs, Certified Court Reporter and Certified Verbatim Reporter in and for the State of Georgia to commence at 10:00 A.M. on the 9th day of March, 2021. All parties completely remote.

1 APPEARANCES OF COUNSEL:

2

3 ON BEHALF OF THE PLAINTIFF:

4 CHERYL B. LEGARE, ESQ.
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cblegare@law-llc.com

8

9

ON BEHALF OF THE DEFENDANTS:

10

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11 McGuire Woods, LLP
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Chicago, Illinois 60601
13 (312) 750-2765
pmilianti@mcguirewoods.com

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1 C O N T E N T S
2 E X A M I N A T I O N
3

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1 P R O C E E D I N G S

2 10:00 A.M.

3 THE COURT REPORTER: Before I swear in
4 the witness, I will ask counsel to stipulate on
5 the record that due to the national pandemic, the
6 court reporter will swear in the witness, even
7 though she's not in the physical presence of the
8 witness and there is no objection at this time,
9 nor will there be an objection at a further date.

10 MR. MILIANTI: No objection.

11 THE COURT REPORTER: Cheryl?

12 MS. LEGARE: No problem.

13 THE COURT REPORTER: Thank you.

14 MS. LEGARE: Sorry.

15 (Whereupon,

16 CIERRA GETER

17 was called as a witness and
18 having been first duly sworn
19 was examined and testified
20 as follows:)

21 THE WITNESS: Yes.

22 THE COURT REPORTER: Thank you.

23 MR. MILIANTI: Is it possible that you
24 could -- it was hard for me to hear you,
25 Ms. Geter. I don't know if you could get a

1 little bit closer to the mic.

2 THE WITNESS: Oh, yes. Can you hear
3 me?

4 MR. MILIANTI: Yeah, it's a little
5 faint. I don't know if you can adjust the
6 volume.

7 THE WITNESS: Okay. How about now?
8 Can you hear me now?

9 MR. MILIANTI: A little bit better, but
10 not much.

11 Morgan, I don't know if you have the same
12 issue.

13 THE COURT REPORTER: I hear the same
14 thing you do. Like it's --

15 MR. MILIANTI: Okay.

16 THE COURT REPORTER: It seems like
17 she's far away.

18 THE WITNESS: Okay. Can you guys hear
19 me now?

20 MR. MILIANTI: That's better. Yes.

21 THE WITNESS: Awesome.

22 MR. MILIANTI: Okay. All right. Let
23 the record reflect that this is the deposition of
24 Cierra Geter taken pursuant to the Federal Rules
25 of Civil Procedure and Notice.

1 Ms. Geter, my name is Pete Milianti. I'm
2 one of the attorneys representing Schneider
3 National in the lawsuit you have filed against
4 it. I'm going to be asking you a series of
5 questions here today.

6 Have you ever had your deposition taken
7 before?

8 THE WITNESS: No.

9 MR. MILIANTI: Okay. Well, let me go
10 over some of the ground rules for a deposition,
11 which I'm sure your counsel has already shared
12 with you.

13 If you could please answer each of my
14 questions as fully and carefully as you can. If
15 for any reason you don't understand a question or
16 you need me to clarify a question, please let me
17 know, and I will do my best to rephrase the
18 question so that you understand it. I don't want
19 you to understand -- I don't want you to answer a
20 question that you're not clear about; do you
21 understand that?

22 THE WITNESS: Yes.

23 MR. MILIANTI: Okay. The court
24 reporter, Morgan, is taking down everything that
25 is said today during the deposition. And because

1 we are all remote, it's even more important that
2 we try not to speak over each other. So if you
3 could wait before you answer your question until
4 I'm finished asking my question, and I will try
5 and extend that same courtesy to you; is that
6 fair?

7 THE WITNESS: Yes.

8 MR. MILIANTI: Okay. If at any point
9 in time you need to take a break, just let me
10 know. The only thing I ask is that you let me
11 finish whatever line of questioning I may have,
12 and then we can go ahead and take a break.

13 THE WITNESS: Understood.

14 E X A M I N A T I O N

15 BY MR. MILIANTI:

16 Q. Okay. Can you please state and spell
17 your full name for the record?

18 A. Cierra, C-i-e-r-r-a; Chanel,
19 C-h-a-n-e-l; Geter, G-e-t-e-r.

20 Q. Have you ever provided sworn testimony
21 before?

22 A. Does fifth grade tribunal account?

23 Q. I'm sorry. Can you repeat that?

24 A. Does my fifth grade tribunal count when
25 I had to be a witness for that?

1 Q. No. I don't think so.

2 A. Okay. I was a witness, so I did have to
3 testify. So I -- that's the only court case I've
4 ever been in like that.

5 Q. Okay. You haven't appeared before any
6 type of a judge or arbitrator, where had to raise
7 your hand like you did today?

8 A. Yes. My divorce -- my divorce -- my
9 divorce.

10 Q. Okay.

11 A. My divorce.

12 Q. For your divorce proceeding?

13 A. Yes.

14 Q. Okay. And do you recall when you
15 provided that testimony?

16 A. Yes. On November 4 -- no. November 11,
17 2016.

18 Q. And is that the only time you can recall
19 where you've provided sworn testimony?

20 A. Does traffic court count? I was in
21 traffic court when I was 19.

22 Q. Other than traffic court and the divorce
23 proceeding, any other instance where you provided
24 sworn testimony that you can recall?

25 A. No, sir.

1 Q. Okay. Have you filed a lawsuit or
2 arbitration other than the one for which we are
3 here today?

4 A. No, sir.

5 Q. Have you filed a charge of
6 discrimination other than the one that you filed
7 against Schneider?

8 A. No, sir. This is the only one.

9 Q. To the best of your recollection, have
10 you been involved in a lawsuit in any other way
11 other than what you've already testified to?

12 A. Correct. This is the only one, to my
13 best recollection.

14 Q. Have you spoken with anyone in
15 preparation for the deposition here today?

16 A. Other than my attorney. That's it.

17 Q. Okay. Only your counsel?

18 A. Yes.

19 Q. When did you meet with your counsel?

20 A. Yesterday.

21 Q. And how long did you meet with your
22 counsel?

23 A. A few hours almost.

24 Q. Was anyone else present when you met
25 with your counsel yesterday?

1 A. No.

2 Q. Did you review any documents to prepare
3 for the deposition here today?

4 A. Yes.

5 Q. Okay. Do you recall which documents you
6 reviewed?

7 A. My complaint, the defense documents as
8 far as like -- what is it called? I don't know
9 the word. Starts with an I. You guys use it --

10 Q. Did you review the defendants' responses
11 to interrogatories?

12 A. Yes, yes. Your interrogatories and then
13 your defense responses and also, like, the
14 medical records and all the documents.

15 Q. Any other documents that you recall
16 reviewing in preparation for the deposition here
17 today?

18 A. I'm trying to go through -- I'm sorry.
19 And that's it, yeah. And the text messages and
20 medical records that was provided.

21 Q. Okay. Are you currently taking any
22 medications?

23 A. Yes.

24 Q. Do any of the medications impair your
25 memory?

1 A. No.

2 Q. Do any of the medications impair your
3 ability to testify truthfully and honestly here
4 today?

5 A. No.

6 Q. Is there any reason why you cannot
7 testify truthfully and honestly here today?

8 A. No.

9 Q. Okay. And what is your date of birth?

10 A. 11/26/1986.

11 Q. And where were you born?

12 A. Atlanta, Georgia.

13 Q. And what is your current address?

14 A. 5008 Lower Elm Street, Atlanta, Georgia
15 30349.

16 Q. And how long have you lived at that
17 address?

18 A. Since December 31, 2008.

19 Q. And does anyone live there with you?

20 A. No. Just me at this time.

21 Q. And do you rent or own that residence?

22 A. Own.

23 Q. Are you currently married?

24 A. No.

25 Q. And you mentioned at the start of the

1 deposition that you participated in a divorce
2 proceeding. When -- when -- when did you get
3 divorced?

4 A. It was November 11, 2016 and it was
5 finalized November 14th. So the courts would
6 have it for November 14th, because it was
7 Veteran's Day. So she -- she didn't solidify it
8 on that particular day because it was a holiday
9 weekend. So it was solidified the following
10 business day, which was the 14th.

11 Q. And how long were you married?

12 A. From April 4, 2013 to November of 2016,
13 so almost three years. Three years and some
14 change.

15 Q. Do you have any children?

16 A. No.

17 Q. Have you ever been arrested?

18 A. No.

19 Q. Have you ever filed for bankruptcy?

20 A. Yes.

21 Q. When did you file for bankruptcy?

22 A. Bankruptcy, I believe that was October
23 or November of 2012.

24 Q. And was that a Chapter 7 or Chapter 13;
25 do you recall?

1 A. Chapter 7.

2 Q. And were you discharged from your debts?

3 A. Yes.

4 Q. Do you recall when that Chapter 7
5 proceeding concluded?

6 A. I believe it was, like, 2015 when I got
7 the notification, but I haven't tried to purchase
8 anything or anything like that after that. Yeah,
9 I think I got the notification in 2015.

10 Q. Other than the Chapter 7 bankruptcy that
11 you filed in or around October or November 2012,
12 have you filed any other bankruptcy petitions?

13 A. No, no.

14 Q. And what's your highest level of
15 education?

16 A. A bachelor's degree, concentration in
17 marketing.

18 Q. I'm sorry. You broke up just a little
19 bit on my end. I heard bachelor's degree, but
20 that was it.

21 A. Concentration in marketing.

22 Q. And where did you attend school?

23 A. I attended and finished at Clayton State
24 University in Morrow, Georgia.

25 Q. And what year did you receive your

1 bachelor's degree?

2 A. December 10, 2010. That's my graduation
3 date.

4 Q. Do you hold any other degrees other than
5 your bachelor's degree from Clayton State
6 University?

7 A. I have an associate's from Georgia
8 Military College in business administration.

9 Q. And when did you receive that degree?

10 A. Received that October 20 -- October of
11 2000 -- yeah, October of 2008. I graduated that
12 fall quarter.

13 Q. Okay. So you have an associate's degree
14 from Georgia Military College and a bachelor's
15 degree from Clayton State University. Any other
16 degrees that you hold?

17 A. No. That's it.

18 Q. Do you hold any licenses?

19 A. I have --

20 Q. Other than a driver's license.

21 A. I do have a CDL.

22 Q. Is that active?

23 A. Yes.

24 Q. And when did you receive your CDL?

25 A. June 14, 2012.

1 Q. And has it been active since that date?

2 A. Yes, sir.

3 Q. Any other licenses that you possess?

4 A. No, sir.

5 Q. Do you have any other forms of
6 educational or vocational training other than
7 what you've already testified to?

8 A. I am in school now for herbal medicine.

9 Q. And where -- where are you going to
10 school?

11 A. 4 Cycles of Life and School of
12 Evolutionary Herbalism.

13 Q. Are those two separate institutions? 4
14 Cycles of Life and the School of Evolutionary --
15 I'm sorry. What was the last part of that?

16 A. Herbalism.

17 Q. Herbalism. Sorry. Let me rephrase
18 that. Are those two separate institutions?

19 A. Yes.

20 Q. Okay. And when did you start attending
21 4 Cycles of Life?

22 A. May of 2019.

23 Q. And is that an accredited institution?

24 A. No. They will be hopefully by next
25 year. That's what we're hoping for, but yes,

1 they're in that process, but not at this time.

2 Q. And do you take classes at 4 Cycles of
3 Life?

4 A. Yes.

5 Q. And how many classes have you taken
6 since May of 2019?

7 A. So far, probably 20.

8 Q. And will you obtain a degree or a
9 certificate upon your completion of schooling at
10 4 Cycles of Life?

11 A. Yes. I will obtain a certificate.

12 Q. And what will the certificate be in?

13 A. Certifying my credits that I came from
14 an accredited herbalist school, so I can become a
15 practitioner with herbal medicine, or I can go to
16 the next level in my training.

17 Q. And how many classes do you need to take
18 to obtain a certificate?

19 A. In this particular course, the 40 that
20 he has posted.

21 Q. So you need to complete 40 classes in
22 order to obtain this certificate --

23 A. Uh-huh. (Affirmative).

24 Q. -- in herbal medicine?

25 A. Correct.

1 Q. So you're about halfway through?

2 A. Yes, sir.

3 Q. And do you attend classes on a -- how
4 frequently do you attend classes since May of
5 2019?

6 A. Every Monday via Zoom.

7 Q. And how long are these classes?

8 A. Three to four hours. From 3:00 p.m.
9 Eastern Standard to 6:00 p.m., sometimes 7:00.

10 Q. And you've been attending these classes
11 every Monday since May of 2019?

12 A. Yes. I -- I signed up for the school in
13 May and then courses started in June, but I
14 signed up for the actual school in May.

15 Q. Do you attend classes on any days other
16 than Mondays at cycles -- 4 Cycles of Life?

17 A. Sometimes we have, like, special
18 training classes on Thursdays.

19 Q. And how frequently do you attend classes
20 on Thursdays?

21 A. Usually, it depends on the instructor if
22 he offers it. So probably once a month if it's,
23 like, a special course, like dealing with
24 something, like, the class needs to concentrate
25 on more. Or sometimes twice a month, depending

1 on how much the class, of course, needs to
2 concentrate on that subject.

3 Q. And when would you meet for these
4 classes on Thursdays? What time?

5 A. Same time period. 3:00 p.m. Eastern
6 Standard until 6:00 p.m.

7 Q. And what -- when do you anticipate
8 receiving your certificate from 4 Cycles of Life?

9 A. I believe by this fall.

10 Q. Okay. And you also mentioned that
11 you're attending classes at the School of
12 Evolutionary Herbalism?

13 A. Correct.

14 Q. And when did you start attending classes
15 at that school?

16 A. I started last summer. I believe last
17 July I signed up for that course, I believe.

18 Q. July of 2020?

19 A. Correct.

20 Q. And are you just taking one course, or
21 is it a series of courses that you're -- you're
22 taking?

23 A. It's a -- it's a series within the
24 course itself. So it's literally, like, a
25 15-part series and it's one course. It's a

1 year-long course.

2 Q. And when do you take these classes at
3 the School of Evolutionary Herbalism?

4 A. They're at your own pace, so I usually
5 do those courses on, like, Tuesday and
6 Wednesdays.

7 Q. And will you receive a degree or a
8 certificate upon the completion of this course
9 that you're -- you're currently taking?

10 A. It will be a certificate of completion
11 as well.

12 Q. And do you take these courses via Zoom
13 as well?

14 A. Yes.

15 Q. And would you consider yourself a
16 full-time student right now?

17 A. Yes.

18 Q. And how long have you been a full-time
19 student?

20 A. Since last summer of July because I took
21 on the course load of the School of -- sorry --
22 the School Evolutionary Herbalism as well with
23 4 Cycles of Life. And it's like -- whew, it's a
24 lot. Reminds me of college.

25 Q. And have you been voluntarily taking

1 these courses since July of 2020?

2 A. Yes.

3 Q. Have you held any other -- have you held
4 a job since July of 2020, or have you been
5 exclusively focused on your schooling?

6 A. I literally was exclusively focused on
7 my schooling in 2020.

8 Q. Would it be accurate to say that you
9 have not searched for a job since July of 2020
10 because you are a full-time student?

11 A. Correct.

12 Q. Have you ever served in the armed
13 forces?

14 A. No.

15 MR. MILIANTI: All right. Cheryl, I
16 don't know if they've been able to print out
17 those documents yet.

18 MS. LEGARE: Let me go -- let me go
19 look and I'll be right back.

20 MR. MILIANTI: Okay. Thank you.

21 (Break taken from 10:25 a.m. to 10:41 a.m.)

22 BY MR. MILIANTI:

23 Q. All right. Ms. Geter, if you could look
24 at -- you've been handed a stack of pages that
25 comprise several exhibits that I may show you

1 today. And I think on the top is -- if you look
2 down at the bottom right-hand corner, you'll see
3 the word Schneider and then 000192; do you see
4 that?

5 A. Yes.

6 Q. Okay. So for Plaintiff's Deposition
7 Exhibit number 1, it's going to be Schneider
8 00192 through 00195. Ms. Geter, do you recognize
9 this document?

10 (Plaintiff's Exhibit 1 was
11 marked and identified.)

12 A. 195, you said?

13 Q. Yes.

14 A. Yes, uh-huh.

15 Q. Okay. It's a four-page document. Do
16 you have it in front of you?

17 A. Yes. Right here. Uh-huh.

18 (Affirmative).

19 Q. All right. And do you recognize this
20 document?

21 A. Yes.

22 Q. Okay. And it's a copy of your resume;
23 is that right?

24 A. Correct.

25 Q. Okay. And do you recall that this is

1 the resume that you submitted to Schneider when
2 you applied for a position at Schneider in 2014?

3 A. Yes.

4 Q. And why don't you just take a second to
5 look at this document. Let me know if -- to the
6 best you can recall whether the contents
7 contained in this document are accurate.

8 A. Yes.

9 Q. Okay. And do you recall when you would
10 have prepared this resume?

11 A. Yes. April of 2014.

12 Q. Okay. And as of that time in April of
13 2014, you were looking for a position in customer
14 service requiring a problem-solver with excellent
15 communication skills and an ongoing commitment to
16 customer service and professionalism; is that
17 right?

18 A. Correct.

19 Q. If you could turn to the second page of
20 this document.

21 A. Uh-huh. (Affirmative).

22 Q. Do you see where you have the entry
23 Universal Fleet Services --

24 A. Yes.

25 Q. -- in Snellville, Georgia?

1 A. Yes.

2 Q. Okay. And it looks like you worked for
3 Universal Fleet Services from June 2010 to June
4 2012; is that right?

5 A. Correct.

6 Q. And you worked for Universal Fleet
7 Services as a dispatcher and a driver?

8 A. Yes, like part time. Uh-huh.
9 (Affirmative).

10 Q. And were those two separate positions?

11 A. It actually worked -- like I worked in
12 the office, and if they needed me, they would
13 train me how to drive and send me out in the
14 field. That's how that worked.

15 Q. Okay. Do you recall what your job
16 duties were as a dispatcher for Universal Fleet
17 Services?

18 A. Yes. Taking calls, communicating with
19 the drivers and basically making sure I'm taking
20 care of driver services. So if they break down
21 or anything like that, I was the point of contact
22 for that, and secretarial work as well.

23 Q. And was this a full-time position that
24 you held for Universal Fleet Services?

25 A. No. Part time.

1 Q. And why did you leave that position?

2 A. It was basically voluntarily, because I
3 was just trying to learn the industry and it was
4 from a friend of mine that owned that business
5 and they told me, hey, anytime you want to come
6 in and learn, you come in. And I gained my skill
7 set from them to help me.

8 Q. Okay. And then if you look at the top
9 of that same page, you have listed Brito Produce,
10 Forest Park, Morgan Southern Conley, Con-way
11 Truckload -- I'm sorry.

12 A. Uh-huh. (Affirmative).

13 Q. It looks like you have listed -- are
14 those four trucking companies?

15 A. Yes, that is correct.

16 Q. And did you work for four different
17 trucking companies during the time period of June
18 2012 to July 2013?

19 A. Yes. Correct.

20 Q. And you were an -- you were an
21 over-the-road driver for all four of those
22 companies?

23 A. Correct.

24 Q. Did you work as an independent
25 contractor at that time?

1 A. Only with Con-way in the year of 2013
2 between March and May of 2013. I was under their
3 roster as an owner-operator at that time. And
4 Morgan Southern --

5 Q. When did you --

6 A. I'm sorry.

7 Q. Sorry. Go ahead.

8 A. Morgan Southern I was considered a
9 owner-operator there as well.

10 Q. And when did start working for Schneider
11 National?

12 A. I started working for Schneider June of
13 2014 -- I mean -- sorry. June of 2012.

14 Q. And do you recall long you worked for
15 Schneider?

16 A. Yes. Until September of 2012.

17 Q. And you were an over-the-road driver for
18 Schneider?

19 A. Yes.

20 Q. Do you know what division?

21 A. Yes. Team division out of West Memphis,
22 Arkansas. Operation manager, her name was Donna,
23 I believe.

24 Q. And why did you only work for Schneider
25 for three or four months?

1 A. My mom at that time was very ill and I
2 needed to get home. And at that time, I was
3 running basically the northeast region and I was
4 -- I needed to just be home and they couldn't
5 find me a route at that time. And one of my
6 friends suggested to come over to Conway because
7 they have more routes that were more suitable for
8 my family need at that time.

9 Q. So you voluntarily left Schneider in or
10 about September 2012?

11 A. Correct.

12 Q. And then if you turn to the first
13 page --

14 A. Uh-huh. (Affirmative).

15 Q. -- it shows that you started working at
16 Providence Realty Group in February of 2014; is
17 that right?

18 A. Correct.

19 Q. What did you do between July of 2013 and
20 February of 2014?

21 A. I was at home because I was under mental
22 distress. I could not find a job at that time.
23 Only in trucking and at that time, I was not
24 taking an employment in that.

25 Q. And why were you -- what mental distress

1 were you suffering from during that time period?

2 A. In July of 2013 when I was with Brito
3 Produce, LLC on my last run with them I was on
4 85 south heading home on the weekend of July 4th
5 and I was at the Love's truck stop and I was
6 assaulted. So from that point, I didn't want to
7 be in a truck for a while.

8 Q. When you say you were assaulted, can you
9 provide a little bit more detail as to the type
10 of assault?

11 A. Yes. I was at the truck stop and I was
12 doing a walk-around. It was around about 8:00 or
13 9:00 p.m. Eastern Standard, and I was doing a
14 walk-around around my truck. And when I got to
15 the back of my truck, it was a gentleman waiting
16 there for me to try to sexually assault me and I
17 had to fight him off physically.

18 Q. And did you contact the police?

19 A. No, because I was afraid. And at that
20 time, I was just trying to get home and I didn't
21 have nowhere else to go and I just wanted to get
22 home. I was just too afraid to even do that
23 because I was in a foreign state. So I just got
24 in my truck and booked it, told my dispatcher
25 when I got back -- [inaudible].

1 Q. Did you suffer any physical injuries as
2 a result of this assault?

3 A. I had some scrapes from fighting him and
4 a couple bruises.

5 MS. LEGARE: Pete?

6 MR. MILIANTI: Yes.

7 MS. LEGARE: Break real quick?

8 MR. MILIANTI: Yes, that's fine.

9 (Break taken from 10:52 a.m. to 10:54 a.m.)

10 BY MR. MILIANTI:

11 Q. I take it that after you suffered this
12 assault, you stopped working for Brito Produce?

13 A. Yes.

14 Q. And you stopped working for Brito
15 Produce because of this assault?

16 A. Correct.

17 Q. And you mentioned that you were under
18 mental distress. What symptoms were you
19 suffering from --

20 A. I was having --

21 Q. -- at that time?

22 A. I'm sorry. A lot of panic attacks and
23 nightmares.

24 Q. Any other symptoms that you suffered
25 from at that time?

1 A. I remember I had a lot of outbursts and
2 I didn't know why. I had a lot of, like, angry
3 outbursts.

4 Q. Did you see a healthcare provider as a
5 result?

6 A. At that time no, because I didn't have
7 health insurance.

8 Q. Do you recall the first time that you
9 were treated by a healthcare provider resulting
10 from any symptoms stemming from this assault?

11 A. I remember when I became employed with
12 Schneider and I got my healthcare benefits I was
13 -- I became a patient with Dr. Maria Goyco at
14 Piedmont and I was telling her about it. Even
15 though it was a year later, I was telling her and
16 she -- that's when she first put me on, I
17 believe, antidepressants around that time.

18 Q. I'm sorry. What was the name of that
19 physician?

20 A. I'm sorry. Maria Goyco, G-o-y-c-o.

21 Q. And she's a physician at Piedmont?

22 A. Yes, sir.

23 Q. And you believe you first treated with
24 her about a year after this assault?

25 A. Correct. Because I was explaining to

1 her the same thing I just stated to you.

2 Q. And were you suffering from panic
3 attacks, nightmares and outbursts at the time
4 that you saw Dr. Maria Goyco?

5 A. Correct.

6 Q. Do you know what type of physician
7 Dr. Goyco is?

8 A. Yes. Internal medicine and family
9 practice.

10 Q. Was she your general -- just a general
11 practitioner?

12 A. Yes, sir.

13 Q. And you mentioned that -- I'm sorry.
14 This would have been approximately July of 2014
15 that you started treating with Dr. Maria Goyco?

16 A. No, not July of 2014. I got employed in
17 2014, so my benefits did not kick in until 90
18 days later, so that would've been an issue. But
19 she became my physician that year, once my
20 benefits kicked in.

21 Q. Okay. So the first time that you would
22 have treated with Dr. Goyco was sometime in the
23 latter half of 2014; would that be accurate?

24 A. Yes, sir. Correct.

25 Q. Okay. And at that time she put you on

1 antidepressants; is that -- is that right?

2 A. Yes, sir.

3 Q. Any other medications that you can
4 recall that she prescribed for you as a result of
5 the assault that you endured in -- in 2013?

6 A. Other than the antidepressants for my
7 migraines I was starting to have, she gave me
8 just the pain medicine for my migraines. All of
9 those were switched over, so I can't recall all
10 of those names of the medication right now.

11 Q. And did you start experiencing migraines
12 as a result of the assault in 2013, or did that
13 predate the assault?

14 A. How can I put this? They -- my episodes
15 started again because I had cluster headaches as
16 a teenager. So, like, my migraines and cluster
17 headaches as a teenager, so I didn't have that
18 until that assault occurred. Like I guess it
19 triggered it and that's when they came back, but
20 I did have them prior to the assault when I was a
21 teenager.

22 Q. Okay. So if I understand correctly, as
23 a teenager you suffered from cluster headaches.
24 You were able to get that under control, and then
25 they -- and the migraines started -- the episodes

1 started after the assault in July of 2013; would
2 that be accurate?

3 A. Yes.

4 Q. Any other symptoms -- when did you start
5 with the migraines -- I'm sorry -- or restart
6 with migraines?

7 A. Restart with the migraines? It was,
8 like, literally, I think, around, like,
9 September, October of 2013. I remember having
10 one of -- a really, really bad episode. And I
11 didn't want to go to the doctor at the time
12 because, of course, I didn't have healthcare
13 insurance, so I went -- just -- oh I know what I
14 did.

15 I called the Grady Healthcare hotline here
16 in Atlanta, the main hospital, and I just asked
17 the nurse what I could do for a home remedy for
18 my migraine because I couldn't even go to the
19 doctor and they don't mind, you know, servicing
20 the community. So I remember that.

21 Q. So prior to the time that you started
22 employment at Schneider in 2014, would it be
23 accurate to say that you were suffering from
24 panic attacks, nightmares, outbursts, and
25 migraines?

1 A. Yes.

2 Q. Any other medical conditions from which
3 you were suffering as a result of the assault
4 prior to the time that you started with Schneider
5 in 2014?

6 A. No, sir.

7 Q. And from the time of the assault in July
8 of 2013 until the time you started at Schneider
9 in roughly July of 2014, how frequently were you
10 having panic attacks; do you recall?

11 A. At least -- I know for sure at least
12 once a day. I was having them a lot. It could
13 be one little thing and it'd set me off.

14 Q. And how frequently were you having
15 outbursts during that time period of July 2013 to
16 July 2014?

17 A. Quite frequent as well. Not as
18 frequently as, like, a day-to-day thing, but I
19 would say probably once a week, give or take,
20 yeah.

21 Q. And from the time of the assault until
22 the time you started at Schneider in 2014 -- July
23 of 2014, how frequently were you having
24 nightmares?

25 A. Weekly. Every other night, actually.

1 Q. And during the time period from the
2 assault until the time you started at Schneider
3 in July of 2014, how frequently were you having
4 migraines?

5 A. Probably once a week, twice a week.
6 Once or twice a week.

7 Q. And did -- you worked at Providence
8 Realty Group as an administrative assistant from
9 February 2014 through May 2014; is that right?

10 A. Yes.

11 Q. And why did you only work there for a
12 few months?

13 A. She only needed me to help her during
14 tax season with her books and she told me to
15 start looking for employment in April. That's
16 why I started looking for employment and then she
17 let me go on May 1st, because she said I no
18 longer need you, thank you for this season, you
19 know, so I was like, okay. I appreciate it.
20 I've been unemployed for a while anyway, so thank
21 you for the opportunity.

22 Q. All right. And then you started looking
23 for a position in customer service?

24 A. Customer service and logistics as well.
25 Uh-huh. (Affirmative).

1 Q. And how did you learn about a position
2 at Schneider?

3 A. My team driver -- co-driver I had back
4 in 2012, he was at the intermodal division over
5 in Fairburn and I was doing cold calls calling
6 around, passing out my resume, asking people,
7 hey, did you hear about a position open? I'll
8 call Avery, and then I was like, you know what,
9 I'm going to call Schneider because they told me
10 I could always come back because my manager at
11 the time was Barry McArthur and Michael Pickens
12 over at the Atlanta OC and they told me whenever
13 you're ready to come back, whether you want to be
14 a driver, whatever, we're going to have your
15 back. I said, okay, no problem.

16 So I called my team driver and I said, hey,
17 does Schneider have a position open? They was
18 like, well -- his name is Charles Robertson.
19 They was like, well, I don't know. I know they
20 -- Greg Cochran at the time was the manager and
21 Mr. Tony -- oh, what was Tony's last name? He
22 was the operation manager at the time.

23 He was like, I will give them your resume.
24 Give me your resume and I'll take it up here. I
25 don't know if they have a position, but I'll give

1 them your resume. So that's how I ended up
2 passing in my resume to them, and then he called
3 me back and he stated, hey, Greg told me that
4 they actually have positions open. Go on
5 Schneider's website and type in Fairburn location
6 and that's where I saw the position, and then I
7 applied for it.

8 Q. So you gave your resume to Tony?

9 A. Correct.

10 Q. And Tony was the ops manager of the
11 Atlanta division at that time?

12 A. Correct.

13 Q. Okay. And Tony told you that he would
14 forward your resume to recruiting at Schneider;
15 is that right?

16 A. Charles Robinson gave Tony my resume and
17 Tony referred it to HR, correct.

18 Q. Okay. And then Tony told you that there
19 were some positions open at the Fairview
20 location?

21 A. Fairburn, correct. Uh-huh.
22 (Affirmative).

23 Q. Fairburn. Sorry.

24 A. Uh-huh. (Affirmative).

25 Q. Okay. And then did you go on

1 Schneider's website?

2 A. Yes, sir.

3 Q. All right. And do you recall the
4 position that was open and available that you
5 applied for?

6 A. Yes. The position at the time was a
7 driver manager -- we were called -- we weren't
8 called area planning managers at the time. We
9 were called something else. I think it was,
10 like, dispatch managers or something like that.
11 That was the position at that time. And then,
12 like, a year later they called us area planning
13 managers, like they switched out titles a couple
14 times, so -- but it's the same position as an
15 area planning manager.

16 Q. Okay. So you saw a position listed for
17 dispatch manager and you applied for that
18 position; is that right?

19 A. Correct.

20 Q. Okay. All right. And did you -- how
21 long after you -- let me strike that.

22 Were you interviewed for the position? Did
23 you interview for the position?

24 A. Yes. I had five interviews.

25 Q. Do you recall whom you interviewed with?

1 A. Yes. I had two interviews with Greg
2 Cochran, which was the operation manager at the
3 time of Atlanta. And can I make a correction to
4 the record?

5 Q. (Shakes head up and down.)

6 A. Tony was not the operation manager. He
7 was the regional manager. He was the region and
8 operation manager.

9 Q. Did you interview with Tony?

10 A. Yes. I had to do one interview with
11 Tony, one interview with Marianne, and then I had
12 to do a phone interview -- he's no longer there,
13 but he created their software at the time they
14 were using for dispatch. I cannot remember his
15 name per se, but he was my last interview, and I
16 remember it being on the phone. It was dealing
17 with Oracle and he was the developer, so he
18 wanted to make sure I was familiar with the
19 software of Oracle and how Oracle is used, which
20 I used in banking before.

21 Q. Okay. And you said that you interviewed
22 with Marianne?

23 A. Yes.

24 Q. Do you recall Marianne's full name?

25 A. Marianne Rose -- it's hyphenated. It's

1 Marianne Biskey-Rose, I believe.

2 Q. Okay. All right. And did you interview
3 with these folks collectively or separately?

4 A. Separately.

5 Q. And do you recall what, if anything,
6 they told you about the specific duties for this
7 position?

8 A. They stated that -- that they were
9 looking for a team player, someone that is
10 enthusiastic about learning, also someone that is
11 willing to work under a high stress environment
12 and be a collective team participant and
13 eventually a leader.

14 Q. At the time that you interviewed for the
15 position, did you understand it to be a full-time
16 position?

17 A. Correct.

18 Q. And do you know who -- obviously you
19 were ultimately hired into the position, right?

20 A. Yes.

21 Q. Do you know who hired you?

22 A. Yes. Greg Cochran.

23 Q. Do you know if Marianne recommended you
24 for hire?

25 A. I do not know. They did not disclose

1 any of that type of information to me.

2 Q. Okay. If you could look at -- it should
3 be the next document in that pile. It should be
4 Bates-stamped Schneider 506 through 507.

5 A. Uh-huh, yes.

6 Q. Do you see that document?

7 A. Yes.

8 Q. Okay. So let's mark this as Plaintiff's
9 Deposition Exhibit number 2. And Ms. Geter, this
10 is the offer letter that you received from
11 Schneider; is that correct?

12 (Plaintiff's Exhibit 2 was
13 marked and identified.)

14 A. That is correct.

15 Q. Okay. And this document is dated July
16 2, 2014; is that right?

17 A. Yes.

18 Q. Okay. And did you receive this document
19 on or about that date?

20 A. Yes. Via e-mail. Uh-huh.

21 (Affirmative).

22 Q. Okay. And is that -- that's your name
23 and address on the first page of this document?

24 A. Yes.

25 Q. Okay. And if you look under position on

1 this first page, it says, dispatch analyst; do
2 you see that?

3 A. Yes.

4 Q. Does that refresh your memory as to the
5 title of the position?

6 A. Yes, it does. I knew it had dispatch
7 something in it.

8 Q. And you said -- you testified that the
9 title was changed to area planning manager about
10 a year later; is that right?

11 A. Yes, sir. Like a year to a year and a
12 half later, they did a transition of position and
13 titles.

14 Q. But the job duties remained the same,
15 just a title change; is that right?

16 A. Correct.

17 Q. Okay. And if you look under where it
18 says position it says, dispatch analyst; 3rd
19 shift; full time 40 hours per week; exempt. Do
20 you see that?

21 A. Yes.

22 Q. Okay. And that was your understanding
23 of the position for which you were hired,
24 correct?

25 A. Correct.

1 Q. And it says 3rd shift. Do you know --
2 what were your hours when you first started as a
3 dispatch analyst?

4 A. I worked from 11:00 p.m. to 7:00 a.m.
5 and my days I worked were Wednesday through
6 Sunday.

7 Q. Wednesday through Sunday?

8 A. Correct.

9 Q. And you worked at the Fairburn location;
10 is that right?

11 A. Yes, sir.

12 Q. How far was that location from your
13 home?

14 A. 6.2 miles.

15 Q. And to whom did you report when you
16 first started?

17 A. When I first started Shawn Brantley and
18 Greg Cochran.

19 Q. Do you recall how long you reported to
20 those two individuals?

21 A. Shawn until he quit in February 2018.
22 February 2018, I think that's the month he quit
23 and the year he quit.

24 Q. That's when Shawn left Schneider?

25 A. Yes, sir. And then I believe Greg

1 Cochran left late May, early June right after he
2 got his master's. I remember that.

3 Q. Of 2018?

4 A. Of 2018, correct. And I just want to
5 make sure it's 2018. Can I look at the calendar,
6 please?

7 Q. Sure.

8 A. I just want to make sure. I don't want
9 to give any false dates.

10 Q. No problem.

11 A. Okay. So Mr. Tony actually left
12 Schneider -- my surgery was August of 2015 -- I'm
13 sorry. I just want to be accurate.

14 Okay. My apologies. So the year is 2016
15 Shawn left, same month, February. And then Greg
16 left late May, late June of 2016. The reason why
17 Mr. Tony left October 2015 while I was on leave
18 for surgery. That's how I remember that.

19 Q. Okay. So when you say that you reported
20 to both Shawn and Greg, was that because -- for
21 different days of the week, or did one of them
22 report up to the other?

23 A. Yes, sir. So Shawn was my team lead and
24 he reported to Greg and Shawn was there with the
25 team all the time. He was there to fill in for

1 teammates that were out on leave or we needed
2 extra help.

3 Q. Got it. Okay. And then May, June of
4 2016 Greg leaves. And who did you report to
5 after that?

6 A. Marianne. She got the position in May
7 to become the new ROM and we reported to her as
8 the ROM and we reported to Doug -- no. We
9 reported to Rodney Dunn as our new operation
10 manager for third and second shift, which is the
11 collective team. Together it's called support
12 shift. And Rodney Dunn became our operation
13 manager at that time.

14 Q. And what does ROM stand for, R-O-M?

15 A. Regional operation manager.

16 Q. During the time period that you reported
17 to Shawn and Greg, was your position a 40-hour a
18 week full-time position?

19 A. Yes. We worked --

20 Q. During the time period -- I'm sorry. Go
21 ahead.

22 A. We worked a little bit more than 40, but
23 yes.

24 Q. On average, how many hours do you think
25 you worked when you reported to Shawn and Greg?

1 A. On average -- for the bi-weekly period
2 or a week to week?

3 Q. Week to week.

4 A. Probably around 40. Forty-two to 43,
5 give or take. Depends on the shift, what
6 happens, so if we had to stay a little longer.

7 Q. And how long did you report to Marianne?
8 You said you started reporting to her in May of
9 2016.

10 A. Until the time I was terminated.

11 Q. And was that a direct report to
12 Marianne?

13 A. No. Schneider has an open-door policy
14 where you can talk to all of your managers. So
15 whether I wanted to talk to Rodney or Rodney
16 wasn't there, I could just go to Marianne and
17 talk to Marianne if he was out because they all
18 are just one collective team.

19 Q. Okay. So you reported to Marianne from
20 May 2016 until your termination of employment in
21 April of 2019; is that accurate?

22 A. Correct.

23 Q. And how big is the -- the Fairburn
24 location?

25 A. Triple wide trailer.

1 Q. Okay. How many employees typically work
2 there; do you know?

3 A. As a collective group or -- that's what
4 I'm trying to -- I'm trying to get. Like as a
5 collective?

6 Q. Yeah.

7 A. Or as a shift-wise? That's what I'm --

8 Q. Well, how many -- well, let me ask a
9 little bit differently.

10 Did you have an office or a cubicle?

11 A. Cubicle.

12 Q. Do you know how many offices roughly or
13 cubicles were at the Fairburn location?

14 A. Can you give me one second and I can
15 just --

16 Q. Sure.

17 A. -- mark it real quick?

18 MS. LEGARE: Want me to make a
19 photocopy of that and put it in the record?

20 MR. MILIANTI: Sure. We can mark it as
21 Exhibit 3.

22 (Plaintiff's Exhibit 3 was
23 marked and identified.)

24 A. Twenty to 21 total. And that 21 is
25 another temp that left, but I count her as well.

1 BY MR. MILIANTI:

2 Q. So there's 20 to 21 office or cubicle
3 spaces at the Fairburn location?

4 A. Correct.

5 Q. It's my understanding that a portion of
6 the Fairburn location was also a driver lounge;
7 is that accurate?

8 A. Yes.

9 Q. Okay. And it's my understanding that
10 drivers would come in and come out and they would
11 sit in the lounge to do whatever they were going
12 to do in the lounge before they started or after
13 they ended their workday; is that accurate?

14 A. Yes. And they would come in into the
15 operations office where we are located and then
16 most of the time, they don't sit in the driver
17 lounge because no one is in here. So they want
18 to talk, so they'll come into the operations side
19 to start their day, get paperwork, get their load
20 information.

21 Q. And would you help them in getting their
22 paperwork and load information?

23 A. Yes. I would definitely help them get
24 all their paperwork. Once we get that phone call
25 or a message, I would get that prepared for them

1 and ready, so when they come in or I will, you
2 know, start preparing that on the way -- if they
3 walk in and I'm still doing another task, I have
4 it, you know, in preparation for them.

5 Q. And is there -- is there an approximate
6 number of drivers that would be assigned or
7 dispatched out of the Fairburn location; do you
8 know?

9 A. Okay. In reference to which years?
10 Because between 2014 and I believe mid-20 --
11 yeah, 2014 when I started there and mid-2016, we
12 dispatched from Quebec, Canada to Miami, Florida.
13 So our dispatch team on the support shift handled
14 17 to 18 markets at a time at night, so that's
15 approximately 400 to 425 drivers, give or take a
16 few.

17 Q. And how about after mid-2016?

18 A. That got cut to 250 and below.

19 Q. So approximately 250 drivers?

20 A. Yes, sir.

21 Q. Out of the Fairburn operating center?

22 A. Correct.

23 Q. Was this just -- was Fairburn just
24 intermodal?

25 A. It's just intermodal, but it also was

1 the region intermodal vocation for the southeast.

2 Q. Okay. If you could turn to the second
3 page of Exhibit 2, in the second to last
4 paragraph it says, any employment between you and
5 the Schneider organization which may arise shall
6 be at all times employment at-will; do you see
7 that?

8 A. Yes.

9 Q. And did you understand that your
10 employment at Schneider was at-will?

11 MS. LEGARE: Objection.

12 A. Yes.

13 BY MR. MILIANTI:

14 Q. At the Fairburn location, is there also
15 -- are there trucks located at the Fairburn
16 location?

17 A. Yes. It's the main drop lot and parking
18 location for the drivers for that division.

19 Q. And so there would be tractors and
20 trailers in the yard at the Fairburn location?

21 A. Yes. And personal vehicles.

22 Q. And that were the drivers would pick up
23 a tractor and trailer from that location -- from
24 the Fairburn location?

25 A. Yes. Far as -- far as empty load --

1 like empty containers and loaded containers if
2 they came from previous customers, we have them
3 relay it there for another driver to pick it up
4 to the next destination.

5 Q. Okay. We can go to the next exhibit,
6 which I -- let's mark as Exhibit 4 and this is
7 Bates-stamped Schneider 0092 through 0094.

8 (Plaintiff's Exhibit 4 was
9 marked and identified.)

10 A. Yes.

11 Q. Okay. You've been -- you have in front
12 of you what we'll mark as Plaintiff's Exhibit
13 number 4 and it's entitled job description
14 manager, area planning; is that right?

15 A. Yes.

16 Q. Okay. And do you recognize this
17 document?

18 A. Yes.

19 Q. Okay. You've seen it before?

20 A. Yes.

21 Q. Okay. And this is the copy of the job
22 description for an area planning manager; is that
23 right?

24 A. Yes.

25 Q. And that is the position that you held

1 while employed at Schneider; is that correct?

2 A. Yes.

3 Q. Okay. And if you could just look at the
4 job summary and read it to yourself and let me
5 know when you're finished.

6 A. Yes.

7 Q. Okay. And does this accurately
8 summarize your job duties as an area planning
9 manager?

10 A. Yes, sir.

11 Q. That you will be accountable for
12 establishing, communicating, and executing the
13 plan for a specific geographic region or a
14 specific customer by matching an available driver
15 capacity and equipment with customer load
16 tenders; is that right?

17 A. Yes.

18 Q. Okay. And did you work as an -- as an
19 area planning manager, did you work for a
20 specific geographic region?

21 A. I worked for Atlanta, Charlotte, Miami
22 -- Atlanta, Charlotte, Miami, Orlando -- give me
23 a second. I'm sorry. It's been a minute.
24 Jacksonville. There's one more we had. And this
25 is just since 2016?

1 Q. Yes.

2 A. Okay. Yeah. So Atlanta, Charlotte,
3 Miami, Orlando, Jacksonville, and Savannah.

4 Q. And that's all for the intermodal
5 division, right?

6 A. For the southeast division that I worked
7 at, correct.

8 Q. All for the southeast intermodal
9 division?

10 A. Correct.

11 Q. Okay. And if you -- do you see under
12 essential job duties and responsibilities?

13 A. Yes.

14 Q. Why don't you take a look at that and
15 let me know when you're done.

16 A. Okay. Yes.

17 Q. Okay. And as reflected in this document
18 -- strike that.

19 Do the bullet points under essential job
20 duties and responsibilities accurately reflect
21 the position of area planning manager?

22 A. Yes, sir, to my recollection -- the best
23 of my recollection.

24 Q. And these were the essential duties and
25 responsibilities for that position; is that

1 right?

2 A. Yes.

3 Q. And would it be accurate to say that one
4 of your primary duties was supporting the
5 drivers?

6 A. Yes, sir.

7 Q. And you would take calls and messages
8 from drivers; is that right?

9 A. Yes, sir.

10 Q. You would help drivers resolve any
11 issues that they had?

12 A. Yes, sir.

13 Q. And you frequently interacted with the
14 drivers face-to-face; is that correct?

15 A. Yes, sir. Only the Atlanta drivers
16 face-to-face.

17 Q. Atlanta drivers. And you mentioned
18 there were, if I recall correctly, approximately
19 250 Atlanta drivers?

20 A. No. That's 2,250 drivers total in the
21 southeast region.

22 Q. Okay. How many --

23 A. Atlanta -- go ahead.

24 Q. How many Atlanta drivers?

25 A. I believe it was between a hundred and a

1 hundred and ten. It just fluctuated depending on
2 the season of trucking. So they have -- like a
3 lot of drivers would leave and then some drivers
4 will come back and then they do a big hiring in
5 the middle of the year. So it just depends on
6 the season.

7 Q. Okay. So you would have -- would it be
8 accurate to say that you would have frequent
9 face-to-face interaction with the Atlanta
10 drivers?

11 A. Correct.

12 Q. If you turn to the second page of this
13 document --

14 A. Yes, sir.

15 Q. -- do you see where it says skills/
16 behaviors necessary to perform job?

17 A. Uh-huh. (Affirmative).

18 Q. Is that a yes?

19 A. Yes, sir.

20 Q. Okay. And it states, abilities or
21 qualities an associate must possess in order to
22 perform the essential job duties listed by core
23 competency; do you see that?

24 A. Yes.

25 Q. And under communication it says, ability

1 to develop relationships through interpersonal
2 skills; is that right?

3 A. Yes.

4 Q. And you understood that was one of the
5 essential job duties of your position; is that
6 correct?

7 A. Yes.

8 Q. Okay. And who did you need to develop
9 these relationships with?

10 A. The drivers and with my teammates.

11 Q. And how would you go about developing
12 the relationships with drivers?

13 A. Just day-to-day talking with them. And
14 due to the fact that I was a former driver, I
15 could relate to them with their circumstances,
16 and give them -- give them information from a
17 different perspective, whereas they would not
18 understand it coming from an operation
19 standpoint.

20 Q. Okay. And if you look under the other
21 -- one of the core competencies is positive
22 impact; do you see that?

23 A. Yes.

24 Q. And the third one down says, take
25 initiative, a self-starter; do you see that?

1 A. Yes.

2 Q. And did you agree that was an essential
3 job duty for the area planning manager position?

4 A. Yes.

5 Q. And underneath that, it says ability to
6 work in a fast-paced, high pressure environment;
7 do you see that?

8 A. Yes.

9 Q. And you understood that was one of the
10 essential job duties of an area planning manager?

11 A. Yes.

12 Q. You -- you understood that as an area
13 planning manager, you would need to work in a
14 fast-paced, high pressured environment; is that
15 right?

16 A. Yes.

17 Q. And would you agree that it was a high
18 -- I'm sorry -- a fast-paced, high pressure
19 environment?

20 A. Oh, yes.

21 Q. And would it be accurate to say that as
22 an area planning manager you would need to be in
23 the office to support a driver if they came in
24 with a particular issue?

25 A. Can you repeat that one more time for

1 me, please? I'm sorry.

2 Q. Sure. Would it -- would it be accurate
3 to say that in your role as an area planning
4 manager, it was necessary for you to be in the
5 office to support a driver if they came in with
6 an issue?

7 A. No.

8 Q. Why?

9 A. And I can explain.

10 Q. Why do you believe you didn't need to be
11 in the office?

12 A. Well, depending on the circumstances
13 most -- from my driving experience, most of my
14 dispatchers from my experience they were in a
15 whole other state. And then we were dealing with
16 drivers in Miami that had breakdowns, and the
17 only thing we can do is direct them to -- we
18 could take the loads off of them and direct them
19 on what to do, send them to the safety management
20 team, SEM.

21 If they have a breakdown or if it's, like, a
22 driver personal issue, we e-mail their DBL and
23 then the driver will call them the next day or
24 talk to their DBL, which is a driver business
25 leader and then we're putting in the handoff.

1 But my Atlanta drivers, yes, I feel as though
2 that they appreciated us being in the office so
3 they can have face-to-face human interaction, so
4 I can definitely understand that standpoint and
5 that viewpoint as well.

6 However, I know for sure that we dispatch
7 drivers from Quebec. That's across the
8 international lines, so you know, when they had
9 issues, we were the ones in Atlanta, Georgia that
10 had to help them, but we only were limited to
11 what we could do because of our distance and
12 communication with them at that time.

13 Q. Would it be accurate to say that
14 Schneider wanted you to have face-to-face
15 interaction with the Atlanta drivers --

16 A. Yes.

17 Q. -- in your position as an area planning
18 manager?

19 A. Yes.

20 Q. Okay. And they deemed that -- Schneider
21 deemed that important because they wanted you to
22 develop those relationships with the Atlanta
23 drivers; is that right?

24 A. Correct.

25 Q. Would you agree with me that there were

1 certain functions of your position as an area
2 planning manager that could only be completed in
3 the office?

4 A. Could I get a reference point to what
5 you're --

6 Q. Was there any -- is there any -- any
7 position -- any job duty that you held -- any job
8 duty that you performed as an area planning
9 manager that you believe could only be performed
10 in the office?

11 A. The only thing and I thought that could
12 be performed or think can is the driver
13 interaction, like the one-on-one with the drivers
14 and management team. You know, human to human
15 interaction.

16 Q. Would there ever be occasions where you
17 needed to be in the office to find driver
18 tractors?

19 A. Yes.

20 Q. And is that another situation where you
21 would need to be in the office in order to
22 perform your job duties?

23 A. Yes. And we had a situation where I
24 remember I was sick and in particular where I
25 worked from home and Travis had to help me

1 because he knew I couldn't come up there. So
2 what he did, he searched for the tractors for me,
3 and the drivers have a key box that's actually in
4 the driver's lounge and we send a message to the
5 drivers that needed the trucks.

6 At the time they would have come in and
7 they'd say, hey, I need a truck, or my truck is
8 down, we'll direct them to the key box and we
9 already had -- the keys had the tractor numbers
10 already attached to them and I said, hey, go to
11 the truck number such and such. It's located --
12 because the trucks have GPS, so you can locate
13 the tractor and tell them where to go pick up the
14 tractor.

15 And if it was at the OC, which is off -- 23
16 miles away off of Bouldercrest, so we had to
17 locate them there and send them up there to pick
18 up a truck, and then the OC can cut a key for
19 that truck, or they already have a copy of the
20 key because that's where the maintenance
21 department is located.

22 Q. Okay. But there were situations where
23 you would need to physically be present in the
24 office in order to locate tractors for drivers?

25 A. Correct.

1 Q. And that was a key function of your job
2 responsibility as an area planning manager,
3 right?

4 A. Correct.

5 Q. If you could turn -- look to the next
6 exhibit, which we'll mark as Plaintiff's Exhibit
7 5 and it's Bates-stamped Schneider 0060. Do you
8 see that one?

9 (Plaintiff's Exhibit 5 was
10 marked and identified.)

11 A. Yes.

12 Q. Okay. All right. And this appears to
13 be an e-mail that you sent on August 25, 2017 to
14 Doug Horton, Marianne Biskey-Rose, Rodney Dunn,
15 and Travis Torrence; is that correct?

16 A. Yes.

17 Q. Okay. And I just want to direct your
18 attention to the second to last sentence in that
19 first paragraph.

20 A. Uh-huh. (Affirmative).

21 Q. You wrote this morning I had to leave my
22 house, I was working from home, and rush over to
23 the office to find two driver's tractors to use
24 for today. Did I read that correctly?

25 A. Correct.

1 Q. Okay. And you go on to state, I admit I
2 was not too happy about stopping my planning and
3 leaving drivers in the phone query to help those
4 drivers; however, I had to do what I had to do to
5 get things done. Did I read that correctly?

6 A. Correct.

7 Q. Okay. And so as reflected in your
8 e-mail, you understood that for certain tasks you
9 needed to be in the office to do what you had to
10 do to get things done; is that right?

11 A. Correct.

12 Q. Why don't we go to the next exhibit.
13 We'll mark this as number 6, and it's Schneider
14 138 through 140.

15 (Plaintiff's Exhibit 6 was
16 marked and identified.)

17 A. Uh-huh. (Affirmative).

18 Q. I'm sorry. I don't think I told you at
19 the beginning, so this is totally my fault.
20 Because we have a court reporter who is taking
21 everything down, you have to respond audibly
22 saying --

23 A. I'm so sorry.

24 Q. No, it's my fault. It's not your fault.
25 And you likely will continue to do it because

1 it's very common and I will do it as well.

2 A. I'm so sorry about that.

3 Q. All right. Do you have Exhibit number 6
4 in front of you?

5 A. Yes.

6 Q. Do you -- and this is -- this is a 2018
7 associate acknowledgement form. Do you recognize
8 this document?

9 A. Yes.

10 Q. Do you recall completing the 2018
11 associate acknowledgement recertification form?

12 A. Yes.

13 Q. All right. And under number one, it
14 states that you acknowledge that the -- and I'll
15 just summarize here, the equal -- the code of
16 conduct, equal opportunity employer, the
17 antitrust discrimination, harassment and
18 retaliation prevention, drug and alcohol policies
19 have been made available to you and you
20 understand, agree, and acknowledge to abide by
21 them during your employment with Schneider; is
22 that right?

23 A. Yes.

24 Q. Okay. And you acknowledge that you
25 reviewed the Schneider policies and understand

1 them or that you will promptly review the
2 Schneider policies and agree to immediately bring
3 any questions you have about them to your leader
4 or human resource business partner; is that
5 right?

6 A. Yes.

7 Q. Okay. And if we look down near the end
8 of number one, you clicked the tab that says I
9 agree, right?

10 A. Yes.

11 Q. Okay. I'm going to put that one aside.
12 We can go to the next exhibit, which will be
13 Exhibit number 7, and it's Bates-stamped
14 Schneider -- it has Exhibit A on it, which we can
15 cross off. But it's Schneider 271 through 274.

16 (Plaintiff's Exhibit 7 was
17 marked and identified.)

18 A. Yes.

19 Q. Okay. So Exhibit 7 is Schneider's
20 discrimination, harassment and retaliation
21 prevention policy; is that right?

22 A. Yes.

23 Q. Do you recognize this document?

24 A. Yes, sir.

25 Q. And you are aware that throughout your

1 employment, Schneider's policies were available
2 to you on its intranet; is that right?

3 A. Yes.

4 Q. And was this particular policy, the
5 discrimination, harassment and retaliation
6 prevention policy available to you on Schneider's
7 intranet?

8 A. Yes.

9 Q. And have you reviewed this policy
10 before?

11 A. Yes.

12 Q. All right. And if you look under
13 principles it states, it is the policy of
14 Schneider that harassment, discrimination and
15 retaliation are prohibited and will not be
16 tolerated; do you see that?

17 A. Yes.

18 Q. And was that your understanding?

19 A. Yes.

20 Q. If you turn to the second page under
21 complaint reporting procedures; do you see that?

22 A. Yes.

23 Q. All right. If you look to kind of the
24 middle, I think it's the third sentence, it says,
25 associates who believe they are being subjected

1 to or witnessed harassment, discrimination,
2 retaliation, or bullying have several reporting
3 options available. Schneider encourages affected
4 individuals to tell the alleged harasser or
5 discriminator that they find such behavior
6 offensive and ask them to stop.

7 Regardless of whether you ask that
8 individual to stop, if you feel you have been
9 subjected to conduct that violates this policy
10 you have a duty to promptly notify one of the
11 following individuals: your leader, an HR
12 business partner, or any member of Schneider
13 leadership. You are not required to report to
14 your direct leader and may instead report
15 concerns to an HR business partner.

16 Did I read that correctly?

17 A. Correct.

18 Q. And was that your understanding of
19 Schneider's complaint reporting procedures?

20 A. Yes.

21 Q. If you could turn to the next page, do
22 you see where it says, retaliation is prohibited?

23 A. Yes.

24 Q. And was it your understanding that
25 retaliation or discrimination against someone for

1 raising a good faith report of harassment,
2 bullying or discrimination is prohibited and will
3 not be tolerated pursuant to Schneider policy?

4 A. Yes.

5 Q. And was it your understanding that if
6 you had been retaliated against, you should
7 report that fact immediately to your HR business
8 partner or any member of Schneider leadership?

9 A. Yes.

10 MR. MILIANTI: Cheryl, I'm sorry. If
11 you raised an objection, I couldn't hear it.

12 MS. LEGARE: Sorry. Is it easier if I
13 raise my hand? Because I'm muted so that we
14 don't have feedback.

15 MR. MILIANTI: I just want to make sure
16 you get it on the record, so I didn't hear it. I
17 don't know if Morgan heard it.

18 MS. LEGARE: Yeah, I did. I'll try and
19 be louder.

20 MR. MILIANTI: Okay. Why don't we put
21 that away. Is it okay if we take a five-minute
22 break?

23 MS. LEGARE: Sure.

24 (Break taken from 11:56 a.m. to 12:05 a.m.)

25 BY MR. MILIANTI:

1 Q. All right. Ms. Geter, are you ready to
2 resume your testimony?

3 A. Yes, sir.

4 Q. Okay. Who is Travis Torrence?

5 A. He was my team lead at the time.

6 Q. Do you know when he became your team
7 lead?

8 A. I believe mid or early -- early to
9 mid-2018.

10 Q. And prior to him becoming your team
11 lead, do you know what position he held?

12 A. Yes. Area planning manager of Atlanta
13 on first shift.

14 Q. Was he one of your -- one of your peers?

15 A. Yes, he was one of my peers.

16 Q. Did you ever work with him when he
17 worked as an area planning manager?

18 A. Yes. Travis helped train me.

19 Q. And do you know to whom Travis reported
20 when he was a team lead?

21 A. Yes. Doug Horton.

22 Q. And do you know who Doug Horton reported
23 to?

24 A. Marianne Biskey-Rose.

25 Q. Do you know -- as a team lead, did

1 Travis supervise you?

2 A. Yes, he did.

3 Q. Let me ask it a different way. What
4 type of support would Travis provide for you as a
5 team lead?

6 A. He would support us if someone was out
7 sometimes and cover their shift. Sometimes he
8 would jump in and help with the calls and the
9 messages if we get bombarded. But mainly he was
10 supposed to be, like, the floater of the team to
11 basically fill in and help out where the team
12 needed him to be. That's what -- that was my
13 understanding because of how our previous team
14 lead was as well.

15 Q. And was he team lead over a specific
16 shift; do you know?

17 A. Yes. Second and third shift, which is a
18 collaborative support team.

19 Q. And do you know how many area planning
20 managers -- during the time period of mid-2018
21 through the termination of your employment, how
22 many area planning managers were on the third
23 shift?

24 A. Yes. Four.

25 Q. And what are -- what are the names of

1 those area planning managers?

2 A. Excluding myself, Audrianne Williams.

3 Do you need me to spell her name?

4 Q. No.

5 A. Okay.

6 Q. Well, yes, yes.

7 A. To the best of my ability,

8 A-u-d-r-i-a-n-n-e, I believe, and Williams,

9 W-i-l-l-i-a-m-s.

10 Q. Okay.

11 A. Desmond Seymour. That's, D-e-s-m-o-n-d;

12 Seymour, S-e-y-m-o-u-r. And Ms. Elaine Young,

13 that's E-l-a-i-n-e, and Young, Y-o-u-n-g.

14 Q. Okay. Do you know Ms. Williams' race?

15 A. African American.

16 Q. And Mr. Seymour's race?

17 A. African American.

18 Q. And Ms. Young's race?

19 A. African American.

20 Q. And did all -- the four of you then

21 worked third shift; is that correct?

22 A. Correct.

23 Q. Okay. And did they work the same hours

24 as you?

25 A. Yes, they did. I actually had the

1 extended hours out of the bunch during this time.

2 Q. And from mid-2018 through the
3 termination of your employment, what were your
4 hours?

5 A. 11:00 p.m. to 10:00 a.m.

6 Q. So you worked an 11-hour shift?

7 A. Yes, sir.

8 Q. And what days of the week did you work
9 between mid-October mid 2018 through the
10 termination of your employment?

11 A. Wednesday, Thursday, Friday, and Sunday.

12 Q. Those were your scheduled days?

13 A. Yes, sir.

14 Q. And when did you start working that
15 schedule, Wednesday, Thursday, Friday, Sunday
16 11:00 p.m. to 10:00 a.m.; do you recall?

17 A. No, I do not recall at this time.

18 Q. Was it prior to the time that you
19 started reporting to Travis?

20 A. Yes, sir. I was under, I believe,
21 Rodney Dunn when they switched those schedules
22 over. I just can't remember the specific time.

23 Q. Did you have a good working relationship
24 with Travis?

25 A. Yes.

1 Q. Did you raise any complaints to anyone
2 about Travis?

3 A. No.

4 Q. You never complained to anyone at
5 Schneider about Travis's behavior, conduct,
6 statements, comments, anything along those lines?

7 A. The only time I ever complained about
8 Travis is his absence at work sometimes, and
9 that's to fellow coworkers.

10 Q. So you only -- okay. So the only
11 complaints you would raise about Travis would be
12 his absences from work, and those complaints you
13 raised to your fellow coworkers; is that
14 accurate?

15 A. Correct.

16 Q. Do you believe Travis is a truthful and
17 honest person?

18 A. The best of my recollection, yes. In
19 the years I spent with him, I trusted him, yes.

20 Q. How was your working relationship with
21 Marianne?

22 A. Very cordial. We were very polite to
23 each other. I thought we were really good,
24 because I could relate to her. We have the same
25 birthday.

1 Q. I mean, that's got to count for
2 something.

3 A. Yeah, and I confided in her a lot. I
4 thought I had a -- I had built a good rapport
5 with her, even when I was not even on her team
6 when I first started. I tried to build a rapport
7 with all the management within the office when I
8 first started.

9 Q. Did you ever raise any complaints to
10 anyone at Schneider about Marianne?

11 A. No. Only about her time at work, that's
12 it -- to coworkers, you know, where's she at,
13 that's it. And then when I did see her, we had
14 great conversations when she was able to come in
15 and -- because sometimes she would travel or
16 wasn't able to come into the office. And so when
17 she was able to come in, I almost give her, like,
18 a morning briefing of my night, especially when I
19 came back. So she definitely knew if I had any
20 trials that night prior to as well.

21 Q. So the only complaints that you ever
22 raised about Marianne would have been about her
23 whereabouts and that was to your coworkers; is
24 that accurate?

25 A. Yes.

1 Q. Do you know for Ms. Williams,
2 Mr. Seymour, and Ms. Young what their work hours
3 were during the 2018 through 2019 time period?

4 A. I believe Desmond Seymour's hours --
5 because he had -- yeah, his hours was at
6 10:00 p.m. to 6:00 a.m. Audrienne's hours was
7 10:30 p.m. to 8:00 a.m. Ms. Elaine's hours was
8 from 11:00 p.m. to 7:00 a.m.

9 Q. And do you know what days of the week
10 they worked?

11 A. I do remember -- I remember -- I
12 remember their off days, so I would have to write
13 it out. Could I come back to that for you?

14 Q. They didn't work the same days as you
15 did; is that accurate?

16 A. Correct. They did, except for
17 Thursdays. Thursday night I was by myself.

18 Q. And when you would request time off,
19 would you -- during the 2018 -- mid-2018 through
20 the date of your termination in 2019, would you
21 request time off from Travis?

22 A. Yes. Via e-mail and via our ADP on the
23 portal.

24 Q. And if you had questions about work,
25 would you reach out to Travis to answer those

1 questions?

2 A. Yes, most definitely.

3 Q. Okay. You also mentioned that Travis in
4 addition to supervising you, Ms. Williams,
5 Mr. Seymour and Ms. Young on third shift, he also
6 was the supervisor for the second shift --

7 A. Yes.

8 Q. -- of area planning -- area planning
9 managers; is that right?

10 A. Yes.

11 Q. Okay. And do you know during mid-2018
12 through your termination in April of 2019 the
13 names of the area planning managers who worked on
14 the second shift?

15 A. Yes.

16 Q. What are the -- what are they?

17 A. Okay. The first one is Sarah Kopf.
18 Sarah, S-a-r-a-h; Kopf, K-o-p-h. Quincy Parker;
19 Q-u-i-n-c-y; Parker, P-a-r-k-e-r. Candis Smith;
20 C-a-n-d-i-s, and Smith, S-m-i-t-h.

21 And also -- her name is, I think, Wakita or
22 Shaquita. I cannot remember, because she came in
23 towards the end of my employment. She's another
24 temp, but she was for second shift. I don't
25 remember her last name.

1 And Julissa. I don't remember her last
2 name, but she is located at the Atlanta
3 operations center. She switched departments, but
4 she was under that team as well.

5 Q. And Ms. Kopf, what was her race; do you
6 know?

7 A. Caucasian.

8 Q. How about Mr. Parker?

9 A. African American.

10 Q. Ms. Smith?

11 A. African American.

12 Q. Wakita?

13 A. African American.

14 Q. And Julissa?

15 A. African American.

16 Q. Do you know whether the -- I'm sorry.
17 You mentioned that Wakita was a temp?

18 A. Yes. At that time.

19 Q. Okay. At that time. Do you know who
20 her employer was?

21 A. No, sir.

22 Q. And was Julissa a temp?

23 A. Yes, sir.

24 Q. Do you know who her employer was?

25 A. No, sir. They did not disclose that to

1 us.

2 Q. Do you know whether Ms. Williams ever
3 worked a reduced schedule?

4 A. No.

5 Q. Do you know whether Mr. Seymour ever
6 worked a reduced schedule?

7 A. No.

8 Q. Do you know whether Ms. Young ever
9 worked a reduced schedule?

10 A. No. Can I also add with Ms. Young?
11 She's the temp on third shift. She was the temp
12 for third.

13 Q. Okay. Do you know who employed
14 Ms. Young?

15 A. No, sir, I did not. I just came to work
16 that day and she was there.

17 Q. Do you know when she started as a temp?

18 A. January of 2018 -- no. I'm sorry.
19 January 2019. My correction. I'm so sorry.

20 Q. Do you know if Ms. Kopf ever worked a
21 reduced schedule?

22 A. No, sir.

23 Q. Do you know whether Mr. Parker ever
24 worked a reduced schedule?

25 A. No, sir.

1 Q. Do you know whether Ms. Smith ever
2 worked a reduced schedule?

3 A. Yes, sir.

4 Q. When did Ms. Smith work a reduced
5 schedule?

6 A. She came back -- so I believe she worked
7 a reduced schedule mid-2017 until early 2018 when
8 she came back from her cancer treatment, and then
9 she went back out again in late 2018 in December
10 due to more complications. She was working from
11 home from that point on, and then she was
12 terminated in April of 2019 as well.

13 Q. Do you know why she was terminated?

14 A. Yes. Due to her condition where she had
15 congestive heart failure and lung failure from
16 her chemo treatment, and she was on oxygen 24/7
17 and she was not able to be able to come into the
18 office no more. She barely could even breathe on
19 the phone to take calls for drivers. So I
20 remember speaking with her and talking to her
21 about how she was doing, and she told me -- she
22 was like, yeah, my doctor told me I could not
23 come back to work.

24 Q. Do you know when she started a reduced
25 schedule in mid-2017?

1 A. I believe it had to be late spring,
2 early summer.

3 Q. And do you know what her reduced
4 schedule was?

5 A. Not to my recollection, but I remember
6 some days she wasn't in the office and some days
7 she wasn't -- and some days she was. And then
8 some days she'd come in late because she had to
9 go to her chemo, you know treatments and stuff,
10 so they reduced her hours to come in, like, at
11 6:00 instead of 2:00 or 3:00 she'll come in. Or
12 if she couldn't make it in after her cancer
13 treatments because she had to drive an hour to
14 her cancer treatments, if she couldn't make it
15 back in time she'll work from home or just be out
16 for that day.

17 Q. Do you know if she had a set reduced
18 schedule, or was she just out when she needed to
19 attend her cancer treatments, if you know?

20 A. I remember -- not specifically, but from
21 my recollection, she was out when she needed to
22 because they were working with her and her --

23 Q. Out when she needed to receive her
24 cancer treatments?

25 A. Yes, sir.

1 Q. So to your knowledge, she wasn't out a
2 specific day of a week. She was just out when
3 needed; is that correct?

4 A. Correct. Yes, sir.

5 Q. Do you know if she was taking -- when
6 she was out when needed if she was taking FMLA
7 time?

8 A. Yes. I remember that because she was
9 calling me. She was like, hey, do you know this
10 person in that department? She was just talking
11 to me because she was, like, trying to understand
12 who to contact and did we have the same people in
13 the HR department. And I was like, you can
14 contact this person.

15 I believe I had Bethany or Courtney or
16 something like that. So I remember her calling
17 me to get advice and, you know, confide in me
18 when she was just really sick on those days and
19 stuff like that.

20 Q. So it's your -- is it your recollection
21 then when she was taking time off for cancer
22 treatments it was FMLA time?

23 A. Yes, sir.

24 Q. And then you mentioned she went back out
25 in late 2018; is that right?

1 A. Yes, sir.

2 Q. Okay. And do you know why she went out
3 in late 2018?

4 A. I believe it's due to her congestive
5 heart failure diagnosis.

6 Q. Did you know if she worked a reduced
7 work schedule at that time?

8 A. Yes. It was, like, leading up to that.
9 Like her schedule was fluctuating like that until
10 that point in time.

11 Q. Do you know if that time was covered
12 under FMLA?

13 A. Not to my knowledge. No, sir. I don't
14 know about that.

15 Q. Do you know what Wakita's work hours
16 were?

17 A. I believe she came in at 3:00 and ended
18 at 11:00. I don't know her specific days, but
19 she did, like, a typical eight-hour shift, 3:00
20 to 8:00 on second shift.

21 Q. Do you know whether she worked any type
22 of reduced schedule?

23 A. Not to my knowledge.

24 Q. Do you know whether -- sorry. Go ahead.

25 A. I'm sorry. I thought she was full-time

1 employment.

2 Q. Do you know whether Julissa worked
3 reduced hours?

4 A. No, sir. She was full-time employment
5 as well.

6 Q. During your employment at Schneider, are
7 you aware of any area planning managers who were
8 hired for a part-time position?

9 A. I'm thinking. Give me one second. No,
10 sir, not to my knowledge at this time.

11 Q. In your lawsuit against Schneider you're
12 alleging that you suffer from a disability; is
13 that correct?

14 A. Yes, sir.

15 Q. And what disability do you suffer from
16 or disabilities?

17 A. Post-traumatic stress syndrome, major
18 depression and panic disorder.

19 Q. And do these all stem from the assault
20 that you suffered in July of 2013?

21 A. Yes, sir. And also from my -- I had an
22 incident on the truck when I was in Canada when I
23 was a driver for Con-way.

24 Q. And why don't you tell me about that.

25 When were you a driver for Con-way?

1 A. From October 2013 -- I mean, it's -- I'm
2 sorry. October 2012 to May of 2013. Yeah, May
3 of 2013. This was around probably October or
4 November of 2012 when this incident happened.

5 I was in Ontario, Canada on the 401 Highway
6 headed northbound and I ran into a white out
7 snowstorm, and that was my first time ever
8 experiencing snow like that ever in my life. I
9 was experiencing where the tracks would cover
10 every time when, like, a car would pass the
11 tracks could cover real quick. And there was no
12 truck stops at that time in sight. I pulled over
13 at a safe stop where I can get my bearings
14 because I noticed, like, I could not find a
15 location for a safe haven that night within the
16 next 20 minutes or to an hour.

17 So I pulled over and at that time I still
18 could see the road. I was good, and then after I
19 figured out -- I was like, man, I have another 50
20 miles before I see another truck stop. I said,
21 okay, well, I'm just going to have to do what I
22 have to do because I can't be on the side of the
23 road, it's illegal to do that. So I proceeded to
24 that next location and on my way to that
25 location, it got worse. I could not call my

1 dispatch at the time. I messaged them, but
2 because I was in international territory my cell
3 phone would not allow me at that time to contact
4 Con-way.

5 I was able to reach my dad because I had
6 Verizon, and Verizon lets you talk to Verizon if
7 you're international. So I reached out to my
8 parents and had my dad call my dispatcher and
9 that's how they was able to locate me to that --
10 to the next location safely. On my way there on
11 that journey I was in a convoy of trucks and
12 three trucks started to, like, try to push me
13 along the way, you know, like hurry up, but I'm
14 trying to find my bearings on the road because at
15 this time cars were swerving in front of me
16 because they didn't even know where the road was
17 to the median or the side of the road. So I
18 slowed down to be safe, and when I did such,
19 another truck came from two trucks behind me and
20 he floored it and he got in front of -- and he
21 came in front of me.

22 He hit my mirror and basically pushed me --
23 made me correct and pushed me off the road and I
24 went into the ditch with my truck and almost
25 flipped my truck and then I bounced back. I

1 don't know how that happened, but my truck
2 bounced back, and I gained my truck control. I
3 stopped the truck once I gained control and I
4 literally had a meltdown with my dispatcher right
5 then and there with my parents on three-way.
6 They had to calm me down for, like, 45 minutes
7 before I even was able to touch the wheel.

8 And it's hard for me still to kind of drive
9 in inclement weather conditions now where I used
10 to be like, man, come on, let's go. Now it's a
11 little difficult for me for that. So even when
12 it was raining, even if I have to even drive to
13 work that was difficult, believe it or not. And
14 I did not know that I would have that type of
15 experience, you know, but that's where that came
16 from.

17 Q. Okay. And this would have been before
18 the assault in July of 2013, correct?

19 A. Correct. Yes, sir.

20 Q. Do you know when you were diagnosed with
21 PTSD?

22 A. October of 2018.

23 Q. And do you know when you were diagnosed
24 with major depression?

25 A. I believe September or August of 2015.

1 Yeah, I believe so.

2 Q. Do you know who diagnosed you with major
3 depression in September of 2015?

4 A. Dr. Maria Goyco.

5 Q. And do you know who diagnosed you with
6 PTSD in October of 2018?

7 A. Dr. Cassandra, C-a-s-s-a-n-d-r-a; Wanzo,
8 W-a-n-z-o.

9 Q. Are you still seeing Dr. Goyco?

10 A. No, sir, I'm not.

11 Q. When did you stop seeing Dr. Goyco?

12 A. I stopped seeing her, I believe, fall of
13 2016 and I switched physicians.

14 Q. And who did you start seeing in the fall
15 of 2016?

16 A. The fall of 2016 I went to -- I went to
17 her and she dropped United Healthcare and I went
18 to -- can you give me one second, please?

19 Q. Sure.

20 A. I believe I saw Dr. Goyco -- I'm sorry
21 -- to 2017 because she dropped United Healthcare
22 from her practice, and I could not use her no
23 longer. And then I had just started going to
24 Dr. Etienne, which was my neurologist at that
25 time, and she had gotten my medication for my

1 headaches calibrated properly, and I thought I
2 was good. And when Dr. Goyco dropped me due to
3 the insurance situation I remember just being
4 like, okay, I have Dr. Etienne and I'll find me
5 another doctor.

6 So I didn't have a doctor for probably a
7 year, like a primary physician, but I had all my
8 specialty doctors still, like my ear, nose and
9 throat doctor, my OB, I still had my neurologist,
10 but I didn't have a primary at that time.

11 Q. Okay. So you stopped treating with
12 Dr. Goyco in fall of 2017?

13 A. Yes.

14 Q. Okay.

15 A. But not on my own -- my own personal
16 ability. She stopped taking United Healthcare.

17 Q. Understood. And do you know when you
18 were diagnosed with panic disorder?

19 A. Dr. Wanzo diagnosed me with that as well
20 in October.

21 Q. And with respect to the PTSD, what are
22 the -- what are your triggers for the
23 post-traumatic stress disorder?

24 A. So one of my triggers is in -- if I'm in
25 close quarters with males or men I get very

1 defensive and very -- how can I put it? I'll be
2 in like a -- not fight mode, but I'll be very on
3 edge, like very defensive, really just in a
4 secured mode in my mind. So anytime I was in
5 close contact with men in a very close setting.

6 And then also if it rained or had really bad
7 inclement weather, I couldn't drive my car, or I
8 just have to pull over or take my time getting to
9 my destinations and -- or I'll have to let the
10 rain settle and then I can get in my car. If
11 not, I have a full-out panic attack or I freak
12 out, and then my mood is set for that time and I
13 don't know why I'm in that mood at that
14 particular time.

15 Another one of my triggers, believe it or
16 not, is a certain smell. It's a smell -- if I
17 smell diesel, like -- truck drivers, we have a
18 distinct smell sometimes when we're at diesel
19 pumps and that smell sometimes can make me snap
20 because of that gentleman. I remember his smell
21 and he was very distinct with diesel on him.

22 Q. Any other triggers?

23 A. I'm sorry. I'm just taking my time
24 here. I'm so sorry.

25 Q. It's fine.

1 A. Feeling that rush, rush, rush feeling.
2 Not that high -- like high-stress environment to
3 me is like, you know, you have fire under your
4 butt and you're moving, but you have a goal, you
5 know, you're pushing towards something, but --
6 how can I put this? When I feel as though it's
7 not a goal, but you're just putting pressure for
8 no reason, like when I was in that situation with
9 that gentleman, that's how it feels, like I'm
10 under -- like I'm fighting for my life in that
11 sense. Like that high pressure like I'm fighting
12 for something.

13 Even though I might not be in that type of
14 environment, that energy I feel sets me off. So
15 like when I was by myself working by myself on
16 those nights where I had to cover basically the
17 region by myself, and then drivers start coming
18 in and they're talking to me, I start triggering
19 because I didn't -- I did not know but I would
20 start triggering. My mood was changed, and I
21 would just what you want? And be talking all
22 mean and not knowing why, but it was because it
23 was a defense mechanism from my trauma with that
24 gentlemen.

25 Q. So when you were saying the drivers

1 would start talking to you, that's when you
2 worked at Schneider; is that what you're
3 referring to?

4 A. Yes, sir.

5 Q. Okay. So when you would work at
6 Schneider and you would be the only area planning
7 manager at the office at the time and drivers
8 would come in and start talking to you, it could
9 trigger your PTSD?

10 A. Yes, sir.

11 Q. And would it be accurate to say that
12 these triggers or the PTSD started before you
13 started employment at Schneider?

14 A. Yes, sir.

15 Q. And do these conditions that you've
16 described, the PTSD, major depression and panic
17 disorder, do they impact your daily life
18 activities?

19 A. Yes.

20 Q. And how so?

21 A. Depending on the day -- some days even
22 when it rains, I can't get out of my bed now.
23 We've been working on that one for a while, me
24 and my doctor -- me and Dr. Wanzo. And then also
25 I learned that working as a -- I can work by

1 myself, but then I'll feel better when I'm
2 working with a team or like collective group to
3 help with the security -- to make me feel secure.
4 That helps me out as well.

5 Did I answer your question? I'm so sorry.

6 Q. Yeah, yeah, and let me just follow up on
7 some of this.

8 So you said that you have difficulty getting
9 out of bed when it rains. Are there -- are there
10 any activities that you can't perform because of
11 your medical conditions?

12 A. No. I actually could perform -- I was
13 doing quite well when I was working. It's just
14 when I have those triggers in those instances,
15 that would throw me off.

16 Q. Okay. And when you would have these
17 triggers, what activities could you not perform?

18 A. Communicating effectively to others. I
19 couldn't do that, and I could not focus on my
20 work at hand. Especially if I started getting
21 overwhelmed with, like, phone calls. I could not
22 focus on my task at hand most of the time because
23 then I felt like that overwhelming, like losing
24 control kind of feeling. And that's only if I
25 was working by myself, not if I had Audrienne,

1 Desmond, Ms. Elaine or somebody else was there.

2 Even Travis when he would come in on certain
3 nights. When I had them there, I felt more
4 secure.

5 Can I also add something?

6 Q. Yes.

7 A. The reason why also I want to add this
8 was I also experienced while I was there working
9 by myself at this time -- this is before they
10 installed a fence on the property because I had
11 to beg them to get some type of security. We
12 used to have drivers that were not Schneider
13 employees just walk off the street, walk through
14 our locked doors and I'll be by myself, and I did
15 not know who these men were coming into the --
16 onto the property and into our building. When I
17 addressed that with my management team, they took
18 it, but they didn't take it as serious and I was
19 literally frightened at time.

20 Q. And when was that?

21 A. That was the year of 2017. I remember
22 that entire year I was asking them to get a
23 security guard. The only time they got a
24 security guard is when Ms. Stephanie and I
25 believe Stephanie and Marianne's life was

1 threatened by a driver that year.

2 So Ms. Stephanie is the driver's business
3 leader and that's when they started to beef up
4 security and they hired a temporary yard guard
5 person for, like, two or three months maybe. And
6 then from that point, they started construction
7 of their electronic gate, and that was completed
8 by early 2019. And the gate didn't work for the
9 first month and a half, so because we had the --
10 when I was there, I think we had three car
11 break-ins where people just walk up to the
12 property off the street. So I remember just
13 stressing to them how that made me feel and how
14 uneasy I felt.

15 Q. And when did Schneider hire a security
16 guard? You said that was in 2017?

17 A. Yes, sir. I believe it was late 2017,
18 but I remember that year specifically because we
19 had a couple of car break-ins, and then we had a
20 driver that threatened Ms. Stephanie and
21 Marianne's life because Marianne called the
22 driver while he was on the road and fired him.

23 Q. And in addition to the security guard,
24 Schneider ultimately implemented an electronic
25 fence; is that right?

1 A. Yes, sir.

2 Q. And that was completed in the beginning
3 of 2019?

4 A. Yes, sir.

5 Q. Okay. Any other activities -- daily
6 life activities that you can't perform because of
7 your medical conditions, other than what you've
8 testified to?

9 A. No, sir. I could do everything else to
10 the best of my ability.

11 Q. And when you -- when you said you can't
12 communicate, what do you -- specifically what do
13 you mean by that?

14 A. I get frustrated, and I would not be
15 able to, like, formulate my sentences properly
16 and mainly anger would come out. So I'm not
17 focused on, like, what needs -- the problem at
18 hand. I'm focused on what just made me upset.
19 And so I would, like, focus on that point and I'd
20 be yelling, screaming, and mad, like a temper
21 tantrum.

22 Q. Okay.

23 A. But other than that, I was able to still
24 do my day-to-day tasks, everything.

25 Q. So when you -- when you said you can't

1 communicate, just so that I'm clear, were you --
2 were you able -- were you able to do your daily
3 tasks --

4 A. Yes, sir.

5 Q. -- or were you --

6 A. I'm sorry. My apologies.

7 Q. That's okay. So the record is clear,
8 you were able to perform your daily life
9 activities with your medical conditions?

10 A. Yes, sir.

11 MR. MILIANTI: All right. Why don't we
12 go ahead and see if this is a good stopping
13 point.

14 (Break taken from 12:50 p.m. to 1:36 p.m.)

15 BY MR. MILIANTI:

16 Q. All right. Can you turn to -- we're
17 going to skip a couple of pages, about ten or so
18 pages, in the documents that I sent over this
19 morning. If you could look for Schneider 00433,
20 it's a one-page family medical leave request.

21 A. Okay. Yes. I see that.

22 Q. All right. We'll mark this as
23 Plaintiff's Exhibit number 8. Do you recognize
24 this document?

25 (Plaintiff's Exhibit 8 was

1 marked and identified.)

2 A. Yes, sir.

3 Q. And this is the family medical leave
4 request form that you submitted to Schneider; is
5 that right?

6 A. That's correct.

7 Q. And is that your signature at the bottom
8 of the page?

9 A. Yes, sir.

10 Q. And you dated the document 10/15/18; is
11 that correct?

12 A. Yes, sir.

13 Q. And is this -- the handwritten portion
14 of this document, is that your handwriting?

15 A. Yes, sir.

16 Q. Okay. And you indicated under the
17 employment data your date of hire was July 14,
18 2014; is that right?

19 A. Yes, sir.

20 Q. And that you worked 11 hours per day, 44
21 hours a week; is that an accurate statement?

22 A. Yes, sir.

23 Q. And you were requesting leave beginning
24 on October 11, 2018; is that right?

25 A. Yes.

1 Q. And you indicated that at least as of
2 October 15, 2018, you did not know the end date
3 of your leave, right?

4 A. Yes, sir.

5 Q. And the reason for the FMLA leave you
6 indicated is for your own serious health
7 condition; is that correct?

8 A. Yes, sir.

9 Q. And you also indicated -- I'm sorry.
10 Under the employment date you circled the
11 days that you normally work, and you circled
12 Sunday, Wednesday, Thursday, Friday, right?

13 A. Correct.

14 Q. Okay. And what was your serious health
15 condition at this time? Why were you -- why were
16 you seeking leave?

17 A. I tried to commit suicide.

18 Q. When did you try to commit suicide?

19 A. The last week of September of that year.
20 I believe it was, like, on the 27th or 26th.

21 Q. Of 2018?

22 A. Yes, sir.

23 Q. And why did you try to commit suicide?

24 A. I just -- I didn't feel like I belonged
25 anymore. Like I felt like no one listened to me.

1 I was very frustrated with my own personal
2 demons, and then also just frustrated with my
3 work environment as well, because I was just
4 trying to communicate with them to just helped me
5 out. And I just remember everything just came to
6 a head at that particular time of year for me
7 where it felt -- I was uneasy and uncomfortable
8 at home and uneasy and uncomfortable at work and
9 I didn't feel like I belonged anymore.

10 Q. And you mentioned that you were
11 frustrated with your own personal dealings; is
12 that right?

13 A. Yes.

14 Q. And what did you mean by that?

15 A. Meaning, like, I was trying to figure
16 out why was I so upset internally, and it felt
17 like I could not communicate with others or how
18 to express myself effectively and no one could
19 understand what was going on in my mind at that
20 particular time.

21 Q. And you mentioned you were frustrated
22 with your work environment?

23 A. Yes, sir.

24 Q. And what was the frustration about your
25 work environment?

1 A. Where I was literally just trying to
2 communicate with my management team to assist me,
3 like I needed an extra teammate there with me at
4 night. I didn't mind doing the work. I just
5 couldn't handle the workload of usually two or
6 three people for one person by myself at night.
7 And I just expressed that to them several times,
8 several years, and then it just came to a head at
9 that point.

10 Q. It sounds like there was -- you believe
11 there was too much work and not enough people to
12 do the work?

13 A. Correct. Not more so too much work.
14 Can I correct that?

15 Q. (Shakes head up and down.)

16 A. I believe fair is fair, and where first
17 shift would have four area planning managers to
18 five, second shift would have two to three. They
19 gave us one to two on third shift, but then they
20 also had supporting attributes on those other
21 shifts, such as IOS or a temp agent that come in
22 and actually answered the phone calls and helped
23 them with their messages.

24 Where on third if it's two of you guys,
25 you're doing the workload of that whole shift,

1 whether it's messages, phone calls and
2 dispatching the drivers and dealing with the
3 driver issues and dealing with the one-on-one
4 basis with the drivers. Where the other
5 instances the other shifts had an actual team of
6 three or more people at a time.

7 Q. And I believe you testified that you had
8 asked for assistance to deal with the workload
9 for several years?

10 A. Yes, sir.

11 Q. Okay. And how would you -- how would
12 this typically come up? How would you ask for
13 the assistance? What would you say?

14 A. I would bring it up to Doug Horton or
15 Travis or even Marianne, hey, on this night we're
16 a little heavier on phone calls, or on this
17 particular night we're a little heavier with
18 dispatch and we need more drivers to be available
19 on this day. I made sure I communicated that
20 with my management team.

21 I even volunteered -- and me and Audrianne
22 Williams developed a schedule to help overlap the
23 shifts to help each shift where if someone is out
24 there's always someone there to help cover it. I
25 presented it to Marianne, and she sent it up to,

1 I believe, the district manager to approve it and
2 they kept the schedule as such.

3 Q. Did you ever contact human resources to
4 advise them that you needed -- that you were --
5 give me one second.

6 A. Uh-huh. (Affirmative).

7 Q. Do you believe there was too much work?

8 A. No, sir. Because I thought it could be
9 resolved in the office.

10 Q. And do you recall -- you said you had
11 asked for this for a couple of years. Do you
12 recall the first time you would have asked for --
13 or raised with management that there was too much
14 work?

15 A. It had to be in 20 -- I believe 2018
16 when we saw a sufficient like -- we did a
17 decrease in 2016 when we split the markets from
18 north to south with the regions, so there was a
19 decrease in workload as far as that, but then the
20 responsibility -- they wanted us to have a little
21 bit more responsibility, so that was around 20 --
22 late 2017 or early 2018. And all I was asking
23 them -- it wasn't for the work because the work I
24 could do. It was the fact that, hey, I'm a
25 female by myself at night. I need some type of

1 security and I prefer to have an extra teammate
2 there and it would help with the process of
3 working in a safe environment. That's what I was
4 just asking for that whole time.

5 It wasn't even about the workload. It was
6 actually about me having someone there with me,
7 like, all of the other two shifts did. I just
8 wanted it to be, hey, so I can feel a little
9 secure and I could focus on my job and do my job
10 efficiently.

11 Q. You wanted another teammate working
12 alongside with you whenever you worked?

13 A. On the shift, correct. And I wasn't the
14 only one that did solo shifts on that particular
15 shift as well.

16 Q. At the time that you -- strike that.
17 Prior to the time that you submitted your
18 FMLA leave request, did you advise anyone at
19 Schneider about any of your medical conditions?

20 A. No, sir. Prior to that I was just
21 trying to figure out what was going on with me.
22 I was going to doctors trying to figure out what
23 was going on with my -- with my headaches at the
24 time and my panic attacks and stuff like that.
25 That's when I was going to Dr. Etienne, I

1 believe.

2 Q. Okay. But as of October 15, 2018, you
3 didn't tell anybody at Schneider that you
4 suffered from PTSD, major depression, panic
5 disorder, anything --

6 A. I didn't know -- I didn't know at that
7 time because I got my diagnosis in that same
8 month.

9 Q. But you didn't mention any type of
10 medical condition to anyone at Schneider prior to
11 October 15, 2018; is that correct?

12 A. Correct. Other than my bilateral carpal
13 tunnel that I had to go out of work for. They
14 know about that.

15 Q. Okay. But other than your carpal
16 tunnel, you didn't mention any of your medical
17 conditions prior to October 15, 2018; is that
18 right?

19 A. That's correct.

20 Q. And so in 2017 and 2018 when you would
21 tell Schneider management that there was too much
22 work and not enough people, you didn't mention or
23 indicate to -- to anyone that you were suffering
24 from some type of a medical condition and were
25 requesting some type of an accommodation; would

1 that be accurate?

2 A. That would be accurate, because I wasn't
3 diagnosed at that time. However, I did speak
4 with Marianne and Doug Horton on several
5 occasions, and I pulled them to the side as my
6 managers and if I had a stressful night or that
7 night was -- it just didn't go right or something
8 happened, I'd tell them. I'd debrief them and
9 let them know, hey, I think we need more people
10 on this side of the team. That's all I would
11 suggest. Or hey, you think we could switch this
12 person to over here to help out? And that's all
13 I was suggesting.

14 It's not the workload per se. It's really
15 about security because not even myself have
16 mentioned this multiple times to them. Audrianne
17 Williams mentioned it. Quincy Parker mentioned
18 it to them. Desmond Seymour mentioned it to
19 them. Ryan Wheeler mentioned it to them.

20 Who else? Sarah Kopf mentioned it to them,
21 and Sarah was hired later in 2018, so that's
22 after this moment. But those others, they were
23 there. And we actually had a meeting with our
24 district manager, and we brought it to his
25 attention during a breakfast morning meeting.

1 And we was like, hey, we was just wondering could
2 we get an extra teammate. We just put it out
3 there because it was a casual breakfast meeting.

4 Q. Okay. But at no point in time prior to
5 you submitting your FMLA form on October 15, 2018
6 did you go to anyone at Schneider management and
7 say, I need a specific accommodation because of a
8 medical condition that you were -- you were
9 experiencing; is that correct?

10 A. That's correct.

11 Q. All right. If we can go to the next
12 document, and this one is labeled CG-0073 through
13 0076.

14 A. Oh, there it is. I was like, okay.
15 Okay. My apologies.

16 Q. Do you have that --

17 A. Yes, sir.

18 Q. -- in front of you?

19 A. Yes, sir.

20 Q. All right. Let's mark -- let's mark
21 this as Plaintiff's Deposition Exhibit number 9.
22 And this appears to be a fax that Dr. Cassandra
23 Wanzo sent to the Hartford October 22, 2018; is
24 that correct?

25 (Plaintiff's Exhibit 9 was

1 marked and identified.)

2 A. Yes, sir.

3 Q. Okay. And this is a document that you
4 produced in discovery; is that right?

5 A. Yes, sir.

6 Q. And Dr. Cassandra Wanzo you testified
7 earlier she was one of your treaters?

8 A. Yes, sir.

9 Q. And you started treating with her in
10 October of 2018?

11 A. Yes, sir.

12 Q. And is she a psychiatrist?

13 A. Yes, sir.

14 Q. And were you referred to her?

15 A. Yes, sir.

16 Q. By whom?

17 A. One of my friends, they actually do
18 counseling, and I was looking for a counselor and
19 I was like, hey, do you know of a psychiatrist?
20 And they was like, yeah, I have one. Here's her
21 name.

22 Q. Okay.

23 A. And then come to find out one of my
24 relatives used her in the past.

25 Q. All right. And if you turn to the next

1 page, do you -- first of all, do you know why
2 Dr. Wanzo was filling out this document for the
3 Hartford?

4 A. Yes. Because they requested her to do
5 that. The Hartford had documents for myself, and
6 then they had documents from her. They needed
7 the documents directly from the doctor.

8 Q. Was this for -- were you were applying
9 for short-term disability?

10 A. Correct.

11 Q. As a result of your suicide attempt and
12 medical conditions?

13 A. Yes, sir. Due to that's the procedure
14 -- once you go out on FMLA with Schneider, that's
15 the next step. You do your -- fill in your
16 paperwork, you send in your request, and then it
17 goes from there.

18 Q. Okay. And do you recall whether or not
19 Dr. Wanzo filled this form out in your presence?

20 A. I do not recall. I just know that she
21 was writing notes while she was talking to me.

22 Q. Okay.

23 A. And then I -- I don't know about the
24 other stuff.

25 Q. All right. If you look on the second

1 page near the top -- first of all, do you know
2 whose handwriting this is on this -- on this
3 document?

4 A. That's Dr. Wanzo.

5 Q. All right. And the question is, is the
6 condition related to environmental and/or
7 interpersonal issues in his or her workplace, and
8 Dr. Wanzo checked yes. And then it says, if yes
9 explain. And she wrote, lack of staffing, verbal
10 abusive driver. Do you see that?

11 A. Yes.

12 Q. And is that what you told Dr. Wanzo?

13 A. Yes.

14 Q. What did you mean when you told her lack
15 of staffing?

16 A. That I --

17 Q. What we just discussed?

18 A. Yes.

19 Q. And as of -- it looks like based on her
20 notes the examination date was October 6, 2018.
21 Do you see that in the middle of the document?

22 A. Yes, sir.

23 Q. Okay. And so as of October 6, 2018 you
24 were advising Dr. Wanzo that you believe there
25 was a lack of staffing at Schneider in your role?

1 A. Correct.

2 Q. And did you believe it was more
3 difficult for you to perform your job if one of
4 your area planning managers was absent?

5 A. Correct. Yes.

6 Q. And you go on to say, verbally abusive
7 driver. Do you see that?

8 A. Yes.

9 Q. What is that in reference to; do you
10 know?

11 A. Yes. The driver's attitudes. When
12 you're dealing with drivers, they don't talk like
13 corporate people. They are -- they're very
14 upfront and they come off very strong. So it got
15 to a point where it felt like I was in a
16 defensive mode when I speak to my drivers because
17 some of them did not take very kindly to a woman
18 telling them what to do as their dispatcher. So
19 I had to deal with those types of men that type
20 of -- in that type of environment by myself at
21 night.

22 Q. And how were they -- how were the
23 drivers verbally abusive? Can you give me some
24 examples of what they would say?

25 A. Okay. So for example, I might have a

1 driver come in, I told you to get this load done,
2 and I had talked to Travis two hours ago and he's
3 supposed to -- well, I'm sorry, this is third
4 shift, okay? I don't see no notes about what
5 they said for you to do on second or first shift.
6 I'm just starting my shift. And that's how I
7 usually will lead into it.

8 Sometimes it's lack of communication from
9 prior shift leaders not leaving e-mails or notes
10 about their drivers. So then it causes conflict
11 when the drivers come into the office and it's a
12 whole new team or shift, and mine in particular
13 where we don't have no management at night, no
14 type of support from Green Bay at night, but from
15 the rail team until 2:00 a.m. So when a driver
16 comes into really bad problems, all we can do is
17 consult, try to resolve to the best of our
18 abilities, and try to resolve and deescalate the
19 situation.

20 And some drivers -- I have to put it to you
21 like this. We deal with drivers from past
22 veterans, from military active duty to not active
23 duty. I had a driver that for Fourth of July,
24 because of the fireworks, abandoned a truck, came
25 in there and cussed us out because of his PTSD he

1 was dealing with. He abandoned the truck and
2 came in there and cussed us out and told us why
3 we put him on a load even though he knew he was
4 scheduled he came into work and everything.

5 And I understood where he was coming from,
6 and I made sure -- like I tried to calm him down
7 and deescalate, but also that's me as an employee
8 taking on that person's stress, and I still have
9 to deal with my job and function at full capacity
10 and sometimes by myself. That's a lot. And all
11 I asked my managers was to, hey -- to help out
12 with those types of situations, just have an
13 extra person here to help with situations where
14 especially a female should not be by herself at
15 night, and where we're located is on a side road,
16 so we had a lot of people, like I stated prior to
17 this, walk in my office that was not Schneider
18 employees. So those people would come off the --
19 off the streets and, hey, you got to a bathroom
20 or, hey, where is this at? And they were not
21 nice sometimes when they walk in my building.

22 Q. Did you report any of these drivers to
23 human resources?

24 A. No. I reported them to my managers and
25 their managers because they have their managers

1 first, and then you have to report to -- I go
2 through the chain of command. I never went
3 around nobody to just -- I literally tried to
4 communicate -- if I had problems with a driver, I
5 talked to his manager first, then I would
6 escalate it up to Travis. Travis, okay, now
7 Sarah or Quincy is not dealing with that driver,
8 Joe is not dealing with that driver let's --
9 okay, let's sit down and do a one-on-one, and if
10 Travis can't handle it, let's take it up to Doug.
11 If Doug can't handle it, let's bring in Marianne.
12 That's what I would do.

13 Q. When you would raise these concerns to
14 your management, did they address them with the
15 drivers?

16 A. Yes, they did. And usually me and the
17 drivers after they talked to their manager they
18 come back and we talk about it and then we go on
19 about our business. But then we have to -- I
20 have to let them know, hey, you came at me wrong
21 and I'm sorry if I came at you in a defensive
22 mode.

23 Q. If you turn to the next page Dr. Wanzo
24 indicates that the expected duration of your
25 impairment would be six to eight weeks; do you

1 see that?

2 A. Yes, sir.

3 Q. And did you agree with her assessment?

4 A. To the best of my ability.

5 Q. And it listed -- she listed the

6 tentative return to work date of November 27,

7 2018; is that right?

8 A. Yes, sir.

9 Q. Was that your understanding?

10 A. Yes, sir. That was my understanding at
11 that time.

12 Q. Okay. And it asks, if appropriate,
13 provide examples of accommodations that would
14 allow your patient to return to work. And it
15 looks like Dr. Wanzo wrote increased staffing to
16 meet the current demands; do you see that?

17 A. Yes, sir.

18 Q. And do you agree with that statement?

19 A. I didn't agree with it, but I do agree
20 that that is what I wanted, correct.

21 Q. Dr. Wanzo also indicates in this
22 statement -- provider statement that you were
23 having suicidal ideations. When did you start
24 having suicidal ideations?

25 A. Around July of 2018, but I didn't tell

1 nobody because I didn't think it was, like,
2 something I wanted to really tell anybody because
3 I didn't think nobody cared.

4 Q. If you could go to the next document.
5 It's Schneider 00425 through 429.

6 A. Yes, sir. Uh-huh. (Affirmative).

7 Q. We'll mark this as Plaintiff's
8 Exhibit 10. And this appears to be a fax that
9 Dr. Wanzo sent to Schneider's HR leave
10 administration team on October 22, 2018; is that
11 right?

12 (Plaintiff's Exhibit 10 was
13 marked and identified.)

14 A. Yes, sir.

15 Q. And have you seen this document before?

16 A. Yes, sir. Because I had to take it to
17 her and then she had to -- she sent me a copy.

18 Q. Okay. And did you discuss this document
19 with Dr. Wanzo as she was completing it?

20 A. No, sir. I dropped it off to her
21 office.

22 Q. Did she ask you to review it before she
23 submitted it?

24 A. No, sir.

25 Q. And if you look on the second page it

1 says for medical facts, approximate date the
2 condition commenced, and she listed September 30,
3 2018; do you see that?

4 A. Yes, sir.

5 Q. And she lists the probable duration of
6 your condition as six to eight weeks; is that
7 right?

8 A. Yes.

9 Q. Okay. And if you turn to the last page
10 of this document --

11 A. Yes, sir.

12 Q. -- is that your handwriting on this last
13 page?

14 A. No.

15 Q. That's not your handwriting?

16 A. No, sir.

17 Q. Okay. Do you know whose handwriting
18 that is?

19 A. Dr. Wanzo.

20 Q. Okay. All right. So was it your
21 understanding that based on this document
22 Dr. Wanzo was seeking -- or providing medical
23 documentation in support of your FMLA leave for a
24 period of six to eight weeks?

25 A. Yes, sir. That was the purpose of the

1 document.

2 Q. Okay. Did you -- at this time, October
3 22, 2018, did you discuss your medical condition
4 with anyone at Schneider?

5 A. At that time, I was already out of the
6 office. I think it was October 1st or 2nd I
7 talked to Doug. I went to work, and this is,
8 like, a week after I tried to commit suicide and
9 that's after I got in contact with Dr. Wanzo and
10 everything and that's when she saw me and she
11 wrote a letter, which I have provided, I believe,
12 and she told me -- she was like, no, I need you
13 to -- you can't go in right now. I need to work
14 on you.

15 And I went to work, and then the next day --
16 it was Sunday, because Monday morning Doug came
17 in and I talked to Doug. I pulled him in the
18 room -- the one-on-one room, and I spoke to Doug
19 about what was going on with me and how I tried
20 to commit suicide the week before. He confided
21 in me. He understood where I was coming from
22 because his nephew just went through that
23 process.

24 And he said I could go ahead and -- I gave
25 him a letter from my doctor and he said, go ahead

1 and take whatever you need. And he said,
2 whenever you need anything, you let me know. I'm
3 going to let Travis and Marianne know, send them
4 an e-mail and I'm going send this over to HR.
5 That's what happened. So Doug Horton was the
6 first person at Schneider to know.

7 Q. And you believe that was the first week
8 of October?

9 A. Yes, sir.

10 Q. And Doug told you that he was going to
11 contact HR on your behalf?

12 A. Yes, sir.

13 Q. Okay. And then did HR reach out to you?

14 A. Yes, sir. They actually checked on me
15 and made sure I was doing okay because of the
16 fact they wanted to make sure my wellbeing
17 mentally was okay or was I going to a doctor and
18 everything. And I was telling them I was seeing
19 Dr. Wanzo at that time.

20 Q. And did they -- did HR provide you with
21 the FMLA paperwork to complete?

22 A. Yes, sir. That's how come the dates are
23 so far down in October because we were waiting on
24 the documents to come through from HR.

25 Q. Okay. Other than speaking with

1 Mr. Horton, did you speak with anyone else at
2 Schneider about your medical condition?

3 A. The only other person during that time
4 when I first went out I confided in Sarah Kopf,
5 and she started to come by and check on me. I
6 think in the month of, like, November checked on
7 me and try to get me -- you know, get out of the
8 house and try to make me talk and be around
9 people. So she was trying to just be a friend,
10 be there for me.

11 Q. Other than Doug Horton, did you speak
12 with any management-level Schneider employees
13 about your medical condition?

14 A. No, because I took Doug's word and then
15 -- about him taking everything up to HR. But I
16 do remember Travis reaching out to me and just
17 saying, you know, how you doing, and checking on
18 me in that sense on my wellbeing.

19 Q. And when did -- to the best you can
20 recall, when did Travis reach out to you?

21 A. I think later on in that month, but I
22 can't give you a specific date.

23 Q. Later in the month of October?

24 A. Yes, sir.

25 Q. Of 2018?

1 A. Yes, sir. My apologies about that.

2 Q. And as best you can recall, what -- what
3 did Travis say to you and what did you say to
4 him?

5 A. I told him that I -- I was suicidal a
6 few weeks back and I was trying to get myself
7 back and I just need their prayers and support.
8 And he was like, no matter what C we got you.
9 That's all I remember. Because anytime I was out
10 sick they was always in my corner, so I thought
11 they was in my corner.

12 Q. And anything else that you can recall
13 about your conversation with Travis in October of
14 2018?

15 A. No, sir, not at this time. If I do, I
16 definitely will advise my counsel.

17 Q. All right. Let's go to the next
18 exhibit, and it's Schneider 0418 through 0421.

19 A. Yes, sir.

20 Q. We'll mark this as Plaintiff's
21 Deposition Exhibit number 11. Do you recognize
22 this document?

23 (Plaintiff's Exhibit 11 was
24 marked and identified.)

25 A. Yes.

1 Q. Okay. And you received this document
2 from Schneider on or about October 26, 2018; is
3 that right?

4 A. Yes, sir.

5 Q. And is that your address top left?

6 A. Yes, sir.

7 Q. Okay. And in this document, Schneider
8 is letting you know that your request for FMLA
9 leave had been approved; is that right?

10 A. Yes, sir.

11 Q. And it indicates near -- kind of near
12 the bottom in that bullet that you have been
13 granted seven weeks and one day beginning October
14 9, 2018 and ending on October -- I'm sorry --
15 November 27, 2018; is that right?

16 A. Yes, sir.

17 Q. Okay. And was your first day out, did
18 it start on October 9, 2018?

19 A. Yes, sir.

20 Q. And after you -- was it your
21 understanding after you received this letter that
22 Schneider had granted your request for FMLA leave
23 beginning on October 9, 2018 through November 27,
24 2018?

25 A. Yes, sir.

1 Q. All right. Now you didn't return to
2 work on November 27, 2018; is that right?

3 A. That's correct.

4 Q. Okay. Let's go to the next document.
5 It's Bates-stamped CG-031 through 033.

6 (Plaintiff's Exhibit 12 was
7 marked and identified.)

8 A. Yes, sir.

9 Q. And this appears to be another medical
10 note that Dr. Wanzo sent to the Hartford via fax
11 on November 17th of 2018; is that correct?

12 A. Yes, sir.

13 Q. Okay. And this is a document that you
14 produced in discovery; is that right?

15 A. Yes, sir.

16 Q. And have you seen this document before?

17 A. Yes, sir.

18 Q. Okay. Do you recall whether or not you
19 went over this document with Dr. Wanzo during one
20 of your visits?

21 A. This one in particular, yes.

22 Q. You do remember going over it with
23 Dr. Wanzo?

24 A. I remember giving her the paperwork and
25 I saw her start writing on it, but not going

1 verbatim. She did go over my migraines. I do
2 remember us having a discussion about my
3 migraines, how I was feeling. I guess you --
4 because I don't look over at the doctor when they
5 be, you know, filling out their stuff, so I just
6 sit there. But I did give her that paperwork, so
7 I think she just started working on that then.

8 Q. Okay. If you could turn to the third
9 page of this document.

10 A. Yes, sir.

11 Q. Do you see where it says functionality
12 at the top?

13 A. Yes, sir.

14 Q. And it asks what activities are impaired
15 and how, and Dr. Wanzo wrote, unable to perform
16 any duties, another four to six weeks; do you see
17 that?

18 A. Yes, sir.

19 Q. Okay. And she listed your target date
20 for your return to work is January 2, 2019; is
21 that right?

22 A. Yes, sir.

23 Q. And did you recall having a discussion
24 with Dr. Wanzo about your target return date
25 being extended to January 2, 2019?

1 A. She was going over -- yes, I do recall
2 that we were going over my progress with my
3 treatment and how I was doing and dealing with my
4 emotions and my triggers at that time.

5 Q. Okay. And did you discuss the
6 January 2, 2019 return to work date with
7 Dr. Wanzo?

8 A. Yes. She asked me was I comfortable
9 with returning.

10 Q. And did you -- and you agreed with her?

11 A. Yes, sir.

12 Q. All right. And she indicates here under
13 the section that says, provide examples of
14 accommodations that would allow your patient to
15 return to work she wrote, return to work at three
16 days per week for four weeks, then four days per
17 week work schedule. Did I read that correctly?

18 A. Yes, sir.

19 Q. Okay. And did you discuss that with
20 Dr. Wanzo?

21 A. Yes, sir.

22 Q. And -- and that was the treatment plan
23 that the two of you discussed and agreed upon at
24 that time?

25 A. Yes, sir. To return, correct.

1 Q. All right. If we can go to the next
2 one, please. This is Bates-stamped Schneider
3 0413. It's a one-page document.

4 (Plaintiff's Exhibit 13 was
5 marked and identified.)

6 A. Yes, sir.

7 Q. And if you look kind of in the middle
8 it's dated November 28, 2018; do you see that?

9 A. Yes, sir.

10 Q. And this document is addressed to you;
11 is that right?

12 A. Yes, sir.

13 Q. And did you receive this document on or
14 about November 28, 2018?

15 A. Yes, sir.

16 Q. And in this document, Schneider states
17 that your federal FMLA now has a new ending date
18 of December 31, 2018; do you see that?

19 A. Yes, sir.

20 Q. And as of that date, your 12 weeks of
21 available federal FMLA will have expired; is that
22 right?

23 A. Yes, sir.

24 Q. Okay. So did you understand this
25 document as Schneider granting you an extension

1 of your FMLA leave through December 31, 2018?

2 A. Yes, sir.

3 Q. And that your FMLA would be exhausted as
4 of December 31, 2018?

5 A. Yes, sir.

6 Q. Okay. And did you return to work on or
7 about January 2nd?

8 A. I returned on January 2nd.

9 Q. Okay. All right. And we can go to the
10 next document. We'll mark this as Plaintiff's
11 Exhibit 14, and it's Bates Schneider 0410.

12 (Plaintiff's Exhibit 14 was
13 marked and identified.)

14 A. Yes, sir.

15 Q. All right. And do you recognize this
16 document?

17 A. Yes, sir. It's my return-to-work form.

18 Q. Okay. And it looks like this was
19 completed by Dr. Wanzo?

20 A. Yes, sir.

21 Q. If you look at the bottom, it's dated
22 December 15, 2018; is that right?

23 A. Which date? I'm sorry.

24 Q. It looks like December 15, 2018.

25 A. Yes.

1 Q. Do you see that at the bottom?

2 A. Yes.

3 Q. All right. And if you look at section
4 one here it says, patient is able to return to
5 work without restrictions effective February 14,
6 2019; is that right?

7 A. Yes, sir.

8 Q. Okay. And in section two it says,
9 patient is able to return to work with
10 restrictions effective January 2, 2019 three days
11 a week, ten-hour days; is that correct?

12 A. Yes, sir.

13 Q. So was it your understanding that you
14 could return to work on January 2, 2019, but with
15 the restriction of three days a week, ten-hour
16 days?

17 A. Yes, sir.

18 Q. And you typically worked four days a
19 week, 11-hour days; is that right?

20 A. Yes, sir.

21 Q. And in the comments, Dr. Wanzo states
22 that you will be able to work three days per
23 week, ten-hours a day effective on January 2,
24 2019, right?

25 A. Yes, sir.

1 Q. And you understood that that's what
2 Dr. Wanzo was requesting, and you agreed with
3 that treatment plan; is that correct?

4 A. Yes, sir.

5 Q. Did you tell Dr. Wanzo that you wanted a
6 reduced work schedule?

7 A. No. We were talking about it and
8 discussed it and she thought it would be better
9 if I didn't go straight in, like my full schedule
10 at first. She wanted to ease me back into that
11 environment to make me more comfortable because
12 that is a very intense environment when it comes
13 to dispatching that magnitude.

14 Q. Did she explain to you what days, or
15 what day -- was there any indication that there
16 was a particular day that you shouldn't work, or
17 was she just more concerned that she didn't want
18 you working four days?

19 A. She was more concerned working the four
20 days. I was -- yeah, it was more concerned about
21 not working the four days. She just wanted me to
22 get in there and just try to keep going with my
23 external treatments and stuff and making sure
24 that I'm just trying to stay positive and
25 focused.

1 Q. And after you received this return to
2 work note -- well, when did you receive this
3 return to work note? Was it on or about December
4 15, 2018?

5 A. Yes, sir, because I had to get it to
6 Hartford and the leave team as soon as possible
7 before the deadline.

8 Q. Okay. And you submitted it to
9 Schneider's leave and accommodations team?

10 A. Yes. And the Hartford. Both always
11 acquire both copies.

12 Q. And after you submitted this document,
13 this return-to-work form, did you have any
14 discussion with anyone at Schneider about your
15 accommodation request?

16 A. I talked to Travis and I let him know,
17 hey, I need to have three days off and I let -- I
18 mean, not three days off. I'm sorry. The one
19 day due to what my doctor stated, and I let him
20 know specifically on a Monday because I was
21 trying to -- no, not trying. I was attending a
22 women's PTSD, like an AA kind of meeting for
23 women that's been abused and stuff and it was
24 anonymous kind of thing, and I was going to that
25 on Mondays to help with my treatment so I can

1 talk out my issue.

2 Q. Okay. And did you call Travis, or did
3 you have a face-to-face meeting?

4 A. We talked to each other on the phone and
5 then I saw him again when we went to work. When
6 I got back to work that week, I believe he was
7 out of town. If not, I saw him the week prior,
8 but I remember me and him talking because he
9 wanted to catch up. How you been? How's
10 everything going? How are you feeling?

11 Q. During this telephone -- you said you
12 had a telephone conversation with him initially;
13 is that right?

14 A. Yes, sir. I believe so.

15 Q. Do you recall the date of that telephone
16 conversation?

17 A. No, sir. I do not believe I recall that
18 particular date.

19 Q. Okay. And it was just you and him on
20 the phone?

21 A. Yes, sir.

22 Q. And as best you can recall, what was
23 said and by whom during that call?

24 A. I let him know that I was returning back
25 to work by January 2nd, and let me know what I

1 need to be prepared for. And I also wanted to
2 make sure that somebody was there with me because
3 I wasn't able to be by myself at that time,
4 because I was like I just need somebody to be
5 there with me. Are we going to have somebody on
6 the shift? And he was like, yeah, don't worry
7 about it. We good. We're hiring a temp anyway,
8 because Audrianne was about to leave for
9 maternity leave because she was pregnant at that
10 time, so I was like, okay, cool.

11 So we have somebody to come in? And he
12 said, yeah, I'm going need you -- matter of fact,
13 my first day back I had to train somebody.

14 Q. Anything else that you can recall about
15 that conversation with Travis?

16 A. Yeah, he told me I had to train that
17 person, yeah. He said, hey, I got a new temp
18 coming in. I need you to help out Audrianne with
19 that. I know it's not -- I know it's your first
20 night back, but do you think you can handle that?
21 I said, yeah, I think, but if not, Audrianne is
22 there, and I could just do the best of my
23 ability. And then I told him about me going to
24 my anonymous meetings on Monday.

25 Q. Anything else that you can recall about

1 that conversation with Travis?

2 A. That's all I can recall at this time.

3 Q. Did you take any notes of that
4 conversation?

5 A. No, sir, I did not.

6 Q. Did he mention the name of the temp that
7 you would be training?

8 A. I can see her face, but I do not
9 remember her name, but I know she was from
10 Memphis, Tennessee, she had braces, and she was
11 petite. She was so -- she was sweet, but she
12 only lasted, like, two weeks, and then right
13 after her Ms. Elaine was hired.

14 Q. That's Elaine Young?

15 A. Yes, sir.

16 Q. If you could turn to the next document.
17 It's Bates Schneider 033 -- 0399.

18 A. Yes, sir.

19 Q. It's a one-page document. We'll mark
20 this as Plaintiff's Exhibit number 15. And you
21 see this document is dated December 18, 2018; is
22 that right?

23 (Plaintiff's Exhibit 15 was
24 marked and identified.)

25 A. Yes, sir.

1 Q. And it's addressed to you; is that
2 correct?

3 A. Yes, sir.

4 Q. And do you recall receiving this
5 document on or about that date?

6 A. Yes, sir, I did.

7 Q. Okay.

8 A. Around that date because it takes a
9 while before it comes through the mail.

10 Q. Got it. And in the second paragraph it
11 says, Schneider has agreed -- well, let me start
12 at the first paragraph. It says, on December 17,
13 2018 we received a return-to-work form from your
14 physician outlining the following work
15 restrictions through February 13, 2019: work
16 three days per week, ten-hour days. Did I read
17 that correctly?

18 A. Yes, sir.

19 Q. Okay. And Schneider agreed to
20 accommodate those restrictions in your current
21 position effective January 2, 2019 through
22 February 13, 2019; is that right?

23 A. Yes, sir.

24 Q. All right. And then when you -- when
25 you returned to work on January 2nd, did you have

1 another discussion with Travis about what days
2 you would be working?

3 A. I think it was, like, via e-mail or
4 something I discussed with him about -- he was
5 trying to put me off on Wednesdays and that's
6 when I disclosed to him what I was trying to do
7 with my external treatment going to those
8 meetings. I was like, I just need you to help me
9 out here, but I am able to come to work, it's
10 just that particular day I was just asking for
11 him to just try to help me out with that.

12 Q. And why didn't you want to work on -- or
13 why didn't you want off on Wednesdays?

14 A. No. I was just trying to attend the
15 meeting on Monday. That's when they offered it
16 at the church that they provided, so I was just
17 trying to make sure I was available on those
18 days.

19 Q. Okay. So you told him that you didn't
20 want to work on Mondays because you were going to
21 -- you were going to attend the counseling
22 sessions, right?

23 A. Yes, sir.

24 Q. Okay. Did you discuss what three days
25 you would be working?

1 A. We talked about it and I said, hey, I'll
2 work Wednesday and whatever day, just Monday
3 that's the day I just -- and he accommodated it.
4 That's how I got with the type of schedule I had,
5 which I had Wednesday, Thursday, Friday, and then
6 Sunday and Monday off. That's how that worked
7 out.

8 Q. So did you agree that you would work
9 Wednesday, Thursday, Friday, or did you ask for
10 those specific days?

11 A. I agreed to work those days because that
12 was my original -- part of my original four-day
13 schedule as well.

14 Q. Did you specifically ask to have Sundays
15 off or not work Sundays?

16 A. Yeah, to go to that Monday morning -- to
17 go to the -- to that meeting.

18 Q. All right. So you wanted the Sundays
19 off because your counseling session was on Monday
20 morning?

21 A. Correct, yes, sir. Thank you for
22 clarifying.

23 Q. And Travis agreed to that?

24 A. Yes, sir.

25 Q. And when you returned to work on

1 January 2, 2019 were you coming into the office
2 on Wednesday, Thursday, Fridays that you worked?

3 A. Yes, sir.

4 Q. All right. And in this letter, Exhibit
5 15, in bold Schneider says, please have your
6 physician complete the attached return-to-work
7 form prior to February 14, 2019 if there are any
8 changes to your restrictions; is that right?

9 A. Yes, sir.

10 Q. The day that you were -- the Sunday that
11 you were not working from January 2, 2019 through
12 February 14, 2019, do you know who was covering
13 that day?

14 A. Yes. Desmond Seymour.

15 Q. Desmond Seymour was working the Sunday
16 that you would typically work?

17 A. Desmond Seymour. If it wasn't him, it
18 was Audrianne Williams. Between those two, if my
19 memory serves me correct.

20 Q. And they didn't typically work on
21 Sundays; is that right?

22 A. Desmond did.

23 Q. Do you know if -- was Desmond doing
24 twice as much work then on Sundays? Do you have
25 any knowledge of that?

1 A. Since why? Because I wasn't there?

2 Q. Yes.

3 A. Any time no one is there everybody does
4 twice as much work, no matter whether it's Sunday
5 through Saturday. Whoever is on that third shift
6 if they're by their self, they're taking the
7 workload of everybody. So yes, I do concur with
8 that.

9 Q. But would you agree then that your
10 inability to work on Sundays impacted the third
11 shift and their workload?

12 A. Yes.

13 Q. Do you know if Travis ever worked the
14 Sunday that you were originally assigned to work
15 during the time period that you were off --
16 during the time period of your accommodation?

17 A. Not to my knowledge. I thought it was
18 Audrianne and Desmond around that time period.

19 Q. Do you have any personal knowledge as to
20 who was working on the Sundays that you were not
21 working because of your accommodations --
22 workplace accommodations?

23 A. Meaning? Can you rephrase it for me,
24 please? I'm sorry.

25 Q. Sure. Do you know -- are you -- are you

1 just assuming and speculating that your Sunday
2 was covered by Desmond and Audrianne, or do you
3 have any --

4 A. Like, specifically?

5 Q. Yes. To support that --

6 A. That will be on Schneider's server when
7 it comes to the schedule.

8 Q. Okay.

9 A. But from my recollection, because I
10 remember how our team was, some Sundays, I
11 believe, it was Desmond and some Sundays it was
12 Audrianne. But this is around the time she was
13 about to go out of work for maternity leave, so
14 some Sundays she wasn't there either. She'd work
15 from home. So I don't believe, like -- it was
16 one of them. I just can't remember who
17 specifically, but it was somebody there on
18 Sundays. And if not -- if Travis did sub in, he
19 probably did, but I remember he was subbing
20 around that time for me, Desmond and Audrianne
21 because Desmond was going out on vacation, I was
22 coming back from leave. We was training a temp
23 and Audrianne was going into maternity leave at
24 the same time with in the six-week period and we
25 was training two temps at the same time.

1 Q. Right. And Travis would fill in for
2 area planning managers who were not able to work,
3 right?

4 A. Correct.

5 Q. Okay. All right. If we go to the next
6 document, please. And it's Bates Schneider 0385
7 through 386. Do you have that in front of you?

8 A. Yes, sir.

9 Q. Okay. Let's mark this as Plaintiff's
10 Deposition Exhibit number 16. And this appears
11 to be another fax that Dr. Wanzo sent to the HR
12 leave administration team at Schneider on
13 January 19, 2019; is that right?

14 (Plaintiff's Exhibit 16 was
15 marked and identified.)

16 A. Yes, sir.

17 Q. Okay. If you turned to second page,
18 this is a return to work recommendation --
19 attending physician's return to work
20 recommendation; is that right?

21 A. Yes, sir.

22 Q. And this appears to be Dr. Wanzo's
23 handwriting; is that right?

24 A. Yes, sir.

25 Q. And if you look down at the bottom, it

1 appears that she dated it January 19, 2019; is
2 that correct?

3 A. Yes, sir.

4 Q. Okay. And do you recall going over this
5 return to work recommendation with Dr. Wanzo?

6 A. Yes. It was a follow-up appointment
7 about --

8 Q. Okay.

9 A. -- me returning back to work and how I
10 was doing. She was checking in on me at that
11 particular --

12 Q. And was this an in-person appointment
13 that you had with Dr. Wanzo?

14 A. Yes, sir.

15 Q. Okay. And if you look at section two it
16 states, patient is able to return to work with
17 restrictions effective 1/2/19 three days a week,
18 ten-hour days, right?

19 A. Yes, sir.

20 Q. Okay. And then if you look at section
21 one, patient is able to return to work without
22 restrictions effective 3/20/2019; is that right?

23 A. Yes, sir.

24 Q. And you understood that Dr. Wanzo was
25 requesting an extension of your --

1 A. Sorry.

2 Q. Sure. You understood that Dr. Wanzo was
3 requesting an extension of your accommodation
4 through March 20, 2019; is that right?

5 A. Yes, sir.

6 Q. And did you discuss that with Dr. Wanzo
7 as of January 2019?

8 A. Yes, sir.

9 Q. And she writes in section one --
10 Dr. Wanzo writes, she remains unable to work full
11 time because of her current clinical depression
12 and post-traumatic stress disorder symptoms. She
13 will be able to work ten hours a day, three days
14 per week. Did I read that correctly?

15 A. Yes, sir.

16 Q. And you understood that's what Dr. Wanzo
17 was recommending?

18 A. Correct.

19 Q. And did you speak with her about that?
20 Did you ask that your accommodation of three days
21 a week be extended?

22 A. She was going based upon what we was
23 discussing and how I was feeling at work. And I
24 was telling her about Audrianne is about to go
25 out for maternity leave and we was prepping a

1 temp and then that temp quit, and then we had --
2 the first temp got fired and then the second temp
3 we was preparing her for the maternity leave for
4 Audrianne. I was telling her how I was stressed
5 out and stuff, but at that time, I do remember
6 that conversation with her.

7 Q. Okay.

8 A. And this was a follow-up after three
9 weeks of being at work basically. Two and a
10 half, three weeks at work.

11 Q. All right. So you told Dr. Wanzo that
12 the first temp had -- had quit, I believe, you
13 said?

14 A. Got fired.

15 Q. The first temp was fired, Audrianne was
16 about to go out on leave, and you were starting
17 to train a second temp, and you were getting
18 stressed out. Is that because of the amount of
19 work?

20 A. Yes. Because I also had to train the
21 temp while working by myself on certain nights
22 that I had to train the temp and also still do my
23 workload while trying to train the temp by myself
24 without another counterpart there to take up the
25 other part of the workload so I can focus on

1 training.

2 Q. Okay. And you understood that Dr. Wanzo
3 was requesting about a four-and-a-half-week
4 extension of your modified work schedule, right?

5 A. Yes, sir.

6 Q. Okay. And did you have any discussions
7 with anyone at Schneider about the need for this
8 extended accommodation or extending the
9 accommodation?

10 A. Like, talking to management or anyone?

11 Q. Yes.

12 A. Not to my knowledge. I just know I kept
13 asking them we need more time to train our temps,
14 and I know we was on crunch time because
15 Audrianne was in her third trimester.

16 Q. You don't have a specific recollection
17 of talking to Torrence or Marianne or any other
18 Schneider management about extending your
19 modified work schedule for another four and a
20 half weeks?

21 A. I think Travis probably approached me,
22 but I'm not going to falsify that on record,
23 because I can't speculate.

24 Q. You just don't recall one way or the
25 other?

1 A. No, not like that. I'm sorry.

2 Q. Okay. Okay. If we could go to the next
3 document. It's Bates Schneider 377.

4 A. Yes, sir.

5 Q. Okay. And it looks like this one is
6 dated January 29, 2018 -- 2019; is that correct?

7 A. Yes, sir.

8 Q. And did you receive this letter on or
9 about that date?

10 A. Yes, sir.

11 Q. Okay. If you look at the first
12 paragraph it says, on January 21, 2019 we
13 received your return to work from your physician
14 outlining the following continuation of your work
15 restrictions through March 19, 2019. Work three
16 days per week, ten-hour days. Did I read that
17 correctly?

18 A. Correct.

19 Q. And Schneider goes on to state that it
20 has agreed to accommodate these restrictions in
21 your current position effective March -- I'm
22 sorry -- February 14, 2019 through March 19,
23 2019; is that right?

24 A. Yes, sir.

25 Q. And then in bold it says, please have

1 your physician complete the attached
2 return-to-work form prior to March 20, 2019 if
3 there are any changes to your restrictions,
4 right?

5 A. Yes, sir.

6 Q. Okay. Do you know -- with respect to
7 your modified work schedule, do you know who
8 would have approved your requests?

9 A. HR gets the documents and the leave
10 team, I know that, but then they have to send it
11 over to management to approve so they know it
12 doesn't affect their schedule, I believe, and
13 then management approves it, and then it goes
14 back to HR.

15 Q. Do you know specifically who would have
16 approved your accommodation requests?

17 A. No, sir.

18 Q. And during this time period, March --
19 I'm sorry -- February 14, 2019 through March 19,
20 2019, do you know -- did you continue working the
21 Wednesday, Thursday, Friday schedule?

22 A. Yes, sir.

23 Q. Did you continue working that schedule
24 in the office?

25 A. Yes, sir.

1 Q. Do you recall working from home at all
2 during that time period?

3 A. Not to my knowledge, but probably so.
4 Well, yes. For the 20, 30 -- I mean, between
5 February and March, yes, and I can tell you why.
6 Because Audrianne had her baby February 26th and
7 at that time Ms. Elaine quit a week after, and
8 then I was left by myself completely.

9 And I asked Travis on a phone call on our
10 personal phones, I said, hey, he was like, hey, I
11 know you just got the call that Audrianne just
12 had the baby. I was like, yeah, I do -- I said,
13 man, I'm nervous, man. I can't work by myself.
14 He said, well, I need you to, you know, come in.
15 I said, well, how about can I work from home? He
16 was like, you know what, yeah, that should be
17 fine. See how that goes and if it works good,
18 then we just keep it like that until we get --
19 [inaudible]. And that was the week of the 26th
20 of February because the week Audrianne had her
21 baby.

22 Q. I'm sorry. You cut out a little bit.
23 You said --

24 A. I'm sorry.

25 Q. No, that's okay. Travis said -- you

1 asked if you could work from home and that's kind
2 of when you cut out.

3 A. I'm sorry. He asked -- I asked him
4 could I work from home due to the fact that now
5 Audrianne had her baby and then a week later,
6 Ms. Elaine quit, so I was left by myself. So
7 that following week after the 26th, we had
8 another conversation and that's when I brought up
9 to him could I work from home on the days I had
10 to work by myself. Days I was with Travis or
11 with Desmond I was -- I was fine. It was the
12 days where I was by myself, I just requested
13 could I just work from my house remotely because
14 we had access to that.

15 Q. And what did Travis say in response to
16 your question?

17 A. He stated that at that time due to the
18 fact that we were -- we were short staffed, and
19 he was like, well, I do understand where you're
20 coming from, so he said I don't see it as a
21 problem. So he's like, yeah, if it's a problem,
22 then we'll go from there. But he said, go ahead,
23 because I understand where you coming from and
24 that's what I took it like.

25 Q. So he said he didn't see it as a

1 problem. If it's -- if it is a problem, you'll
2 address it, and go ahead and work from home when
3 you were -- when you were going to be working by
4 yourself?

5 A. Yes, sir. He told me that I was able to
6 do that. And I knew it wasn't going to be
7 forever, but it was just for that time being
8 because Audrianne's due date -- her original due
9 date was March 15th, so they was basing
10 everything upon March 15th and the baby came
11 February 26. So they was trying to train a temp
12 from January to March, and they lost two temps
13 within that time period for third shift.

14 Q. So you believe this conversation
15 happened -- was it the first week of March of
16 2019?

17 A. Yes, sir.

18 Q. Okay. And from the first week of March
19 -- prior to the first week of March -- let me
20 rephrase that.

21 From January 2, 2019 until you had this
22 conversation with Travis during the first week of
23 March 2019, do you recall any occasion where you
24 worked from home?

25 A. On Thursdays sometimes and sometimes

1 not. It's when Audrienne was working from home
2 and we would alternate weeks like that. She
3 would work from home on Thursdays, or I worked
4 from home on Thursdays. We would alternate
5 because she was -- she wasn't able to drive in,
6 in her last two or three weeks coming into work
7 because she lived an hour and 20 minutes from
8 Fairburn. She lived in Dacula.

9 Q. It sounds like once every two weeks you
10 would work one day from home?

11 A. That's only --

12 Q. Is that right?

13 A. Yes, sir. That's only if, like, she
14 couldn't make it in or something like that. And
15 then if she couldn't make it in because she
16 couldn't drive in or something and I'm there, if
17 I arrived at work and she wasn't there, she'll
18 log in and work from home remotely, but she'll
19 work from home if she couldn't come in on that
20 Thursday night.

21 Q. And Travis would allow you to work from
22 home on this alternating Thursday evening during
23 this January 2019 through March 2019 time period?

24 A. Yes, sir. And majority of that time I
25 remember -- it's coming back to me now -- I

1 really could not be off on that time, like away
2 because I was the main person training the temps.
3 And then when Audrianne was able to come into the
4 office she would train the temps with -- like we
5 would alternate training that night. So one
6 person would be with the temp, the other person
7 would be dealing with all the workload. And then
8 once we're done with training, then we all would
9 jump in and put the temp on hands-on training at
10 that time. But the first three to four hours to
11 five hours of that shift we solo on that
12 workload.

13 Q. All right. And you did not return to
14 full-time work on March 20, 2019; is that right?

15 A. Correct.

16 Q. We can go to the next document, please.
17 It's Bates CG-41 through 45. Actually, we'll
18 mark this as kind of a group exhibit, 18 CG-41
19 through 45 and Schneider 343 and 344.

20 (Plaintiff's Exhibit 17 was
21 marked and identified.)

22 A. Okay. Yes, sir.

23 Q. Okay. And this is another medical note
24 that Dr. Wanzo faxed to the Hartford on March 9,
25 2019; is that correct?

1 A. Yes, sir.

2 Q. And this is -- at least the first
3 several pages of this document you produced in
4 discovery; is that right?

5 A. Yes, sir.

6 Q. And do you recognize this document?

7 A. Yes, sir.

8 Q. Do you recall going over the progress
9 report, the next two pages, with Dr. Wanzo?

10 (Plaintiff's Exhibit 18 was
11 marked and identified.)

12 A. Yes, sir.

13 Q. And if you look on that first page, it
14 asks again is the condition related to
15 environmental and/or interpersonal issues in your
16 workplace and Dr. Wanzo wrote lack of staffing,
17 verbally abusive drivers. Did I read that
18 correctly?

19 A. Yes, sir.

20 Q. Okay. And was there still, in your
21 view, a lack of staffing?

22 A. Yes, sir.

23 Q. Okay. And you were seeking an
24 accommodation of a continued reduced work
25 schedule because of lack of staffing?

1 A. Yes, sir.

2 Q. And were drivers still being verbally
3 abusive as of March 9, 2019?

4 A. I had occasional disgruntled drivers
5 call in.

6 Q. And if you turn to the next page under
7 functionality --

8 A. Yes, sir.

9 Q. -- it asks, specify what activities are
10 impaired and how. And Dr. Wanzo wrote, only able
11 to work three days part time until April 30th.
12 Did I read that correctly?

13 A. Yes, sir.

14 Q. Okay. And did you discuss that with
15 Dr. Wanzo about extending your modified work
16 schedule until April 30th?

17 A. Yes, because she was trying to give them
18 time to, you know, hire somebody else and so she
19 was like it'll give you more time to help you
20 process things because this is a little -- it's a
21 lot when you're just coming back out and you --
22 she was like -- it was just a lot, and I was
23 trying to deal with it to the best of my ability
24 at that time. So she felt as though, like, I
25 needed more time until they can get somebody else

1 in here to help.

2 Q. Okay. And you agreed with her
3 recommendation that you continue to work three
4 days a week until April 30, 2019?

5 A. Yes, sir. And also at that time I
6 received -- I believe at that time -- yes, I
7 received at that time my uncle was placed in
8 hospice. I remember that specifically, and she
9 was trying to prepare me with my treatment to
10 help me with my grieving process, so I wouldn't
11 have a reaction as well to that.

12 Q. Okay. If you could turn to the fifth
13 page of this exhibit, it's a return to work
14 recommendation.

15 A. Yes, sir.

16 Q. Bates CG-0045. Do you see that?

17 A. Yes, sir.

18 Q. Okay. And this document is dated
19 March 9, 2019; is that right?

20 A. Yes, sir.

21 Q. And if you look at the top it's
22 submitted to Schneider's HR leave administration
23 team; is that correct?

24 A. Yes, sir.

25 Q. Okay. Do you recall discussing this

1 return to work recommendation with Dr. Wanzo?

2 A. Yes, sir.

3 Q. All right. And if you look at section
4 one, it states, patient is able to return to work
5 without restrictions effective April 30th. She
6 remains unable to work full time because of her
7 clinical depression, PTSD and panic disorder
8 symptoms. She will be able to continue present
9 schedule Wednesday, Thursday, Friday, ten hours a
10 day, Thursday and Friday at home or any time
11 solo. Did I read that correctly?

12 A. I'm trying to figure out her
13 handwriting. I'm sorry. I'm sorry. Okay. Yes,
14 sir. I can -- yeah, I see what you read, yes.

15 Q. Okay. And did you discuss these
16 accommodation requests with Dr. Wanzo on March 9,
17 2019?

18 A. Yes. I remember speaking with her about
19 the situation with their temps and with Audrienne
20 being out. And she said why are you working by
21 yourself? I thought they was going to get some
22 help for you? I was like, well, they haven't
23 found no one yet. She was like, so that's not
24 helping you with your treatment. So what's going
25 on?

1 I was like, well, right now I don't know
2 what's going on, but this is the best that they
3 could do. And so she was like, well, could they
4 let you work from home on the days you have to
5 work by yourself so you don't feel that type of
6 energy or pressure from your external
7 environment? And I was like, I hope so. They've
8 been helping me so far.

9 Q. Did you -- did you understand that
10 Dr. Wanzo was requesting that you work from home
11 Thursdays and Fridays?

12 A. No, sir. Not in the full content of
13 that. I thought it was only for when we didn't
14 have staffing.

15 Q. Okay. If we could go to -- let's skip a
16 few pages. If you could turn to Schneider 321
17 through 323.

18 A. Yes, sir.

19 Q. Did you -- did you speak with anyone
20 about Dr. Wanzo's request that you continue to
21 work a modified work schedule through April 30,
22 2019 and be permitted to work from home Thursdays
23 or Fridays or when you were solo?

24 A. I remember I talked to Travis, but not
25 in that type of specification. Does that make

1 sense?

2 Q. What would you -- what do you recall
3 speaking to Travis about?

4 A. I remember him talking to me and he
5 said, hey, Cierra -- he came into the office one
6 day. He was like, hey, why are you not here? He
7 popped me up -- I said you told me to work from
8 home on the days, you know, that I was supposed
9 to be off on solo. He was like, yeah, but I'm
10 going to need you in the office. I was like,
11 well, I thought that was our agreement. He was
12 like, no, I need you in the office.

13 So I came in the office the next night and I
14 would start working from the office from that
15 point, just to accommodate what he stated via
16 chat. It was a chat message we did because he
17 came into the office and he was like, why are you
18 not at the office? I was like, you told me to
19 work from home.

20 Q. Did he tell you why -- I'm sorry. Go
21 ahead.

22 A. No, I was just stating when we had our
23 own conversation that's what I took from that
24 phone conversation from him. And then --

25 Q. Did he tell you --

1 A. I'm sorry.

2 Q. Go ahead. No, it's fine; go ahead.

3 A. And every week prior -- I mean that led
4 on after that conversation, I would -- the days I
5 worked from home, I sent my handoffs off, I sent
6 all my notes and everything was normal, like to
7 the point it was like almost three weeks later
8 and you just now realized I wasn't in the office
9 after you gave me that permission. That's how I
10 remember that conversation. So when he told me I
11 need you in the office, I said, okay, I'll come
12 in. That's no problem. I'm just letting you
13 know it's going to be a little difficult for me,
14 but I really need somebody there.

15 Q. Did he tell you why he wanted you to
16 come into the office?

17 A. He said because somebody needs to be
18 there.

19 Q. Anything else that you can recall about
20 that conversation?

21 A. And he stated that he thought it was
22 going to be for a shorter period of time. And I
23 just agreed to what he was saying on the phone
24 and just said, okay, I'll see you tomorrow.

25 Q. And when he said he thought it would be

1 for a shorter period of time, that was your
2 request to work from home when you were solo?

3 A. Yes, sir. But my understanding was -- I
4 was, like, but didn't you get any notes from HR?
5 That's what was within myself. That's what I was
6 assuming, and assumptions are not always good.

7 Q. Do you recall at this time HR approving
8 any requests that you work from home?

9 A. At the time they were -- they had
10 approved everything from my doctor's notes. I
11 was getting information from Hartford and from HR
12 about my accommodations being approved. I even
13 received an e-mail -- I think her name is Anissa
14 HR because Angie Shelow [sic] was my original
15 point of contact and then she got promoted or
16 moved to a different department and then Anissa
17 became my point of contact.

18 And then I remember speaking with her the
19 first week or two -- no, the first week of April
20 because she requested information, some more
21 documents. I remember e-mailing her over
22 documents the latter part of the first week of
23 April until the beginning of the second part --
24 the second week of April, and then on the 12th I
25 was termed. So from the time of March 20th to

1 April 12th, I was just communicating between HR
2 and then Travis.

3 Q. Up until March 9, 2019, are you aware of
4 any document -- are there other communications
5 from Schneider indicating that it had approved
6 any requests that you work from home when you
7 were solo?

8 A. No, sir. Other than the conversation
9 that I stated I had verbally talked with Travis.

10 Q. If we could look at Exhibit 19,
11 Schneider 321 through 323.

12 (Plaintiff's Exhibit 19 was
13 marked and identified.)

14 A. Yes, sir.

15 Q. Okay. And this is another attending
16 physician's statement that appears to have been
17 completed by Dr. Wanzo; is that right?

18 A. Yes, sir.

19 Q. Okay. And she's still indicating --
20 well, strike that.

21 If you go to the second -- the third page,
22 it appears to be dated March 30, 2019; is that
23 correct?

24 A. Yes, sir.

25 Q. Did you have an appointment with

1 Dr. Wanzo on March 30, 2019? Do you recall?

2 A. I believe I did.

3 Q. Do you recall discussing Dr. Wanzo's
4 recommendations for your accommodations as of
5 March 30th of 2019?

6 A. Yes. We were talking about me working
7 from home on the days I was solo because I was
8 telling her how it was affecting me, and I told
9 her the conversation me and Travis had.

10 Q. And according to the first page of this
11 exhibit, Dr. Wanzo was still saying that your
12 condition -- lack of staffing is related to your
13 workplace condition? I'm sorry. Strike that.

14 Dr. Wanzo was saying that you still need
15 this accommodation because of lack of staffing;
16 is that right?

17 A. Yes, sir.

18 Q. If you turn to the second page of this
19 exhibit, kind of in the middle it says, what are
20 your patient's current abilities, what type of
21 work can your patient perform? And she writes,
22 you can only work three days per week, Wednesday,
23 Thursday, Friday, working from home two days a
24 week, ten-hour days. Do you see that?

25 A. Yes, sir.

1 Q. And did you discuss that with Dr. Wanzo?

2 A. I didn't discuss that part with her
3 about working from home for those two days. I
4 remember her saying specifically on the days I
5 was solo.

6 Q. And she goes on to state that your
7 target date for your return to work was on a full
8 time basis June 5, 2019; is that right?

9 A. Yes, sir.

10 Q. And did you agree with that --

11 A. Yes.

12 Q. -- assessment from Dr. Wanzo?

13 A. For the return date, correct. Due to
14 the fact my uncle was in hospice at the time, and
15 I was really preparing myself for his death
16 because he was a very close, close relative of
17 mine.

18 Q. So you were requesting a modified work
19 schedule -- or an extension of your modified work
20 schedule from March 30, 2019 through June 5, 2019
21 in part because of your uncle's illness; is that
22 right?

23 A. Yeah, and due to lack of staffing as
24 well. Because mind you, we don't have two -- we
25 didn't have two temps at all and Audrianne wasn't

1 there still, so we were down technically three
2 people on third.

3 Q. Right. And so you were -- you were
4 requesting additional time off during a time
5 period when Schneider was short-staffed, right?

6 A. Not -- not time off because I was
7 working.

8 Q. Yeah, you were requesting a modified
9 work schedule during a time period when Schneider
10 was short-staffed, correct?

11 A. Yes, but I wasn't requesting time off.
12 I was requesting to work from home.

13 Q. Well, according to this you were
14 requesting to continue to work three days per
15 week, right?

16 A. Correct.

17 Q. And your normal full-time schedule would
18 be four days per week, right?

19 A. Correct.

20 Q. So you were -- you were requesting a
21 modified, reduced work schedule during a time
22 period when Schneider was short-staffed, correct?

23 A. Yes.

24 Q. And the doctor goes on to state, if
25 appropriate provide examples of accommodations

1 that will allow your patient to return to work.

2 And Dr. Wanzo wrote, working from home two days
3 per week, working three days per week, Wednesday,
4 Thursday, Friday. Did I read that correctly?

5 A. Yes, sir.

6 Q. Okay. And that's what's -- is it your
7 testimony that you did not discuss with Dr. Wanzo
8 working from home two days per week as of March
9 30, 2019?

10 A. I did discuss with her working from home
11 when I was solo. So whatever the schedule was,
12 whoever wasn't there on those days, that's the
13 days I needed them to accommodate. So if you
14 were scheduled for a Wednesday and Thursday or
15 Friday schedule, and let's say you called out
16 before a shift, I was thinking like Travis would
17 let me know, like, hey, such and such called out,
18 stay at home tonight or, hey, I'm not able to
19 come in. You know, that's how I was looking at
20 that, and that's how I talked to him about it,
21 and that's how I talked to Dr. Wanzo about it.
22 But I do understand what you're saying.

23 Q. All right. Well, were you disagreeing
24 with Dr. Wanzo -- did you disagree with her when
25 she said she wanted you to work from home two

1 days per week as of March 30, 2019?

2 A. No, I'm not disagreeing with her. I
3 just don't know specifically who was off on those
4 specific days.

5 MR. MILIANTI: Okay. All right. Why
6 don't we take a -- we've been going for a little
7 bit. Why don't we take a ten-minute break.

8 (Break taken from 3:20 p.m. to 3:33 p.m.)

9 BY MR. MILIANTI:

10 Q. As of -- strike that.

11 Ms. Geter, was it your intention to remain
12 on a modified work schedule until you believe
13 Schneider had appropriately staffed the third
14 shift for area planning managers?

15 A. No, sir. I was really trying to just
16 get the betterment of my mental health in order
17 and in control mostly.

18 I'd also like to make a correction. So
19 earlier when you stated that me and Dr. Wanzo
20 discussed the two days off and the three-day work
21 period, that was not my discussion her
22 whatsoever. I think that's what the implication
23 of what was going on within the office, as far as
24 the situation and with Audrienne's maternity
25 leave and the lack of staffing. And I was like,

1 hey, I just -- as long as I can work from home
2 those days that's significant. But as far as
3 requesting the two days off doing that three work
4 -- I do not recall that all within that
5 discussion.

6 Also, I received in March -- mid-March the
7 news about my uncle and -- [inaudible] -- because
8 of the stresses from work and then from that news
9 as well. So I guess she took it into her -- took
10 it into her hand to write that particular section
11 in the notes. But my main concern was as long as
12 I could feel safe at work, I could do my job.
13 But my mental health did start to decline a
14 little bit around that time, so I just wanted to
15 correct that.

16 Q. Well, you were continuing to extend your
17 modified work schedule because of a perceived
18 lack of staffing on behalf of Schneider for the
19 area planning manager position, right?

20 A. Yes, sir.

21 Q. And you would not have felt comfortable
22 returning to a full-time role until you believed
23 that Schneider had appropriately staffed the
24 third shift with area planning managers, right?

25 MS. LEGARE: Objection.

1 A. No, sir. I was still planning on going
2 to work, period. It was just I was trying to
3 make sure my mental health was on a -- on a good
4 path in order for me to work efficiently in the
5 position I was in, and then also effectively with
6 any type of major distractions to help me with my
7 treatment.

8 BY MR. MILIANTI:

9 Q. Yeah, I'm not questioning that you were
10 working. We know you were working three days a
11 week.

12 My question to you is, you didn't have any
13 intention of working four days a week until you
14 believed that the area planning manager position
15 was appropriately staffed for the third shift as
16 reflected in your doctor's notes; isn't that
17 right?

18 A. Incorrect. I was even planning on
19 working four days a week if I had to, to even
20 help the team. That's the type of person that I
21 am, period. But I sacrificed my mental health in
22 a lot of circumstances to help my team, period.

23 Q. Was it your intention to work from home
24 anytime another area planning manager could not
25 make it into the office as of March of 2019?

1 A. Yes. It wasn't my full intent, but I
2 needed that assistance from my management team to
3 understand that because they allowed my other
4 teammate to do it.

5 Q. So when an area planning manager would
6 for whatever reason call off and say that he or
7 she could not come into work, that's when you
8 would similarly request not to come into work --

9 A. Not similarly --

10 Q. -- if you were scheduled for the same
11 day?

12 MS. LEGARE: Objection.

13 A. Not similarly because most of the time
14 when I found out somebody called out, I'm already
15 at work in the office. So usually I get a text
16 message on the way in or when I set up my
17 computer, by the way, such and such is not coming
18 in. Or I open up my laptop and I have a nice
19 e-mail that says, hey, such and such will not be
20 in tonight on my work --

21 BY MR. MILIANTI:

22 Q. And then would you go home?

23 A. I'm sorry?

24 Q. Would you then go home?

25 A. No. I'd sit there and work.

1 Q. Okay. During the time period of January
2 1, 2019 through March 30, 2019, did you encounter
3 any verbally abusive drivers?

4 A. Give me one second. Not per se verbally
5 abusive toward me, but, like, in a circumstance
6 they were heated I took the brunt of it, but they
7 wasn't towards me. If that make any sense.

8 Q. Not completely. Let me rephrase it.

9 So you testified previously that there were
10 occasions in 2018 when a driver would become
11 short or upset and would lash out at either you
12 or your fellow area planning managers when you
13 were at the office, right?

14 A. Correct.

15 Q. Okay. So my question is, during the
16 time period of January 1, 2019 through March 30,
17 2019, did you encounter any drivers who acted in
18 a manner which you found to be verbally abusive
19 towards you?

20 A. I remember getting into a couple of like
21 conversations, but I can't recall specifically
22 what day and who specifically at this time.

23 Q. Do you recall what these drivers said to
24 you?

25 A. This is -- [inaudible] -- their manager.

1 Like I said, it would be something -- they're mad
2 at something else and it comes out on me. So
3 like if their manager didn't set up their pay
4 right, I get that brunt. If their manager didn't
5 set up them getting the truck to be assigned to
6 them for the next day, which is the first shift
7 and second shift's actual job.

8 It's part of their description for third to
9 be prepared, because technically third shift is
10 basically a cleanup team. Everything starts with
11 first shift, so all driver managers are majority
12 on first shift. So if the drivers have issues or
13 had issues, that stems from first shift and then
14 it trickles down to second shift. And if second
15 shift can't solve the problem, then it trickles
16 down the third shift. And then that's when -- by
17 that time if the driver is getting off on that
18 shift from third -- I mean from first or second
19 coming out of the third or going into the first
20 shift I'm the first person they see or the last
21 person they see, and I get the brunt of that
22 energy if they did not have a good night or if
23 they did not start the morning properly.

24 Q. Okay. If you can just try and answer my
25 question. Do you recall between January 1, 2019

1 and March 30, 2019 any instance where a driver
2 was verbally abusive towards you?

3 A. Me specifically, no, at this time that I
4 can remember.

5 Q. Okay. If you could turn to the next
6 document, which is -- I might be jumping around a
7 little bit. I'm not sure. Schneider 315. It's
8 a one-page document dated March 2nd -- April 2nd,
9 2019.

10 A. Yes, sir.

11 Q. Okay. I'm going to mark this as
12 Plaintiff's Deposition Exhibit number 20. Do you
13 recognize this document?

14 (Plaintiff's Exhibit 20 was
15 marked and identified.)

16 A. Yes.

17 Q. Okay. And this document is dated
18 April 2, 2019. Did you receive a document on or
19 about that date?

20 A. Probably around that time. Not on that
21 date, but afterwards.

22 Q. Okay. And that's your address; is that
23 right?

24 A. That's correct.

25 Q. Okay. And then you see in this first

1 paragraph it says, you're currently approved --
2 I'm sorry. This is a letter that you received
3 from Schneider's HR leave administration team,
4 correct?

5 A. Correct.

6 Q. Okay. And it relates to your request
7 for an accommodation, right?

8 A. Yes, sir.

9 Q. And it states, Dear Cierra, you're
10 currently approved on an accommodation for your
11 reduced schedule of three days through March 19,
12 2019. Below is the timeline of information that
13 has been received during your leave of absence
14 and your partial return to work. Did I read that
15 correctly?

16 A. Yes, sir.

17 Q. Okay. And then there are four -- I'm
18 sorry -- five bullet points, right?

19 A. Yes.

20 Q. Okay. Can you review those five bullet
21 points and tell me when you're done?

22 A. Yes. I'm finished.

23 Q. Okay. And do these five bullet points
24 accurately reflect the timeline of your
25 accommodation request and the request that you

1 received?

2 A. Yes, sir.

3 Q. Okay. And Schneider states after these
4 bullet points, with the multiple extensions of
5 partial return to work schedule, this is
6 appearing to be a permanent need. Did I read
7 that correctly?

8 A. Yes.

9 Q. All right. And then they ask that you
10 provide or that your healthcare provider provide
11 additional information by no later than April 8,
12 2019; is that right?

13 A. Yes, sir.

14 Q. Okay. And do you recall -- I'll show
15 you the exhibit here in a little bit. Do you
16 recall receiving a document attached to this
17 where they asked -- Schneider had asked your
18 physician for additional information?

19 A. Yes, sir.

20 Q. Okay. And did you take that document to
21 your physician?

22 A. I had to. Yes, sir.

23 Q. Okay. We can go to Schneider 301. I'm
24 sorry. That's out of order. It'll be CG-261
25 through 262.

1 A. Yes.

2 Q. Okay. Before I ask about that, you
3 mentioned that you were attending counseling
4 sessions on Monday mornings?

5 A. Yeah, at a church. Uh-huh.
6 (Affirmative).

7 Q. At a church. Were you continuing to
8 attend those sessions in March and April 2019
9 time period?

10 A. Yes, sir.

11 Q. Okay. And that was every Monday?

12 A. Yes, sir.

13 Q. And what church was that at?

14 A. World Changers Church International.

15 Q. And what time were the counseling
16 sessions?

17 A. I believe 9:00 to 11:00. And then also
18 I attended -- give me one second. I'm trying to
19 give you the other church -- I'm sorry -- that I
20 attended. I'll have to give that to my counsel.
21 I have another church I was attending as well.

22 Q. Okay. If we go to what we'll mark as
23 Plaintiff's Exhibit 21, CG-261 through 262. Do
24 you have that in front of you?

25 (Plaintiff's Exhibit 21 was

1 marked and identified.)

2 A. Yes, sir.

3 Q. Okay. And this is a letter dated April
4 11, 2019 that you received from the Hartford; is
5 that right?

6 A. Yes.

7 Q. Okay. And do you recall receiving this
8 letter?

9 A. Yes, sir.

10 Q. And it appears that you filed for
11 long-term disability benefits on April 3, 2019;
12 is that right?

13 A. Yes, sir.

14 Q. Okay. And do you know if your long-term
15 disability benefits were granted or approved?

16 A. It was a month and a half later after
17 April I think, or a month after -- [inaudible] --
18 around like -- yeah, the end of April, early May,
19 I believe. I'm sorry.

20 Q. So your long-term disability benefits
21 were approved end of April, early May 2019?

22 A. Yes, sir.

23 Q. And do you recall what those benefits
24 were?

25 A. Meaning? I'm sorry.

1 Q. Where you received -- did you receive
2 money --

3 A. Yes, yes.

4 Q. -- for your long-term disability
5 benefits?

6 A. Yes.

7 Q. And how much?

8 A. Sixty-six percent of my salary.

9 Q. And you started receiving those benefits
10 end of April, beginning of May 2019?

11 A. Yes, sir.

12 Q. And do you recall what your salary was
13 at the time that you started receiving those
14 benefits?

15 A. \$51,780.

16 Q. And are you currently receiving
17 long-term disability benefits?

18 A. No, sir.

19 Q. Okay. When did you stop receiving
20 long-term disability benefits?

21 A. I believe fall of 2019 -- no, April of
22 2020 actually. April 2020.

23 Q. So you received long-term disability
24 benefits for approximately one year?

25 A. One year for mental health according to

1 Hartford's policies.

2 Q. And you received those benefits for
3 approximately one year at 66 percent of your
4 salary?

5 A. Yes, sir.

6 Q. If you could go to -- I believe it's the
7 next document in the stack. It should be
8 Schneider 301.

9 A. Yes.

10 Q. We'll mark this is Plaintiff's
11 Deposition Exhibit number 22. Do you recognize
12 this document?

13 (Plaintiff's Exhibit 22 was
14 marked and identified.)

15 A. Yes, sir. It's the termination letter.

16 Q. Okay. And did you receive this letter
17 on or about April 12, 2019?

18 A. I received it April 12th, 11:15 p.m. by
19 Travis Torrence in the on-on-one room.

20 Q. Okay. And if you look at that first
21 paragraph, it states were out on a continuous
22 leave of absence due to medical reasons from
23 October 9, 2018 through January 1, 2019 at which
24 time you exhausted your 12 weeks of FMLA; do you
25 agree with that?

1 A. Yes, sir.

2 Q. It goes on to state that Schneider was
3 able to accommodate you returning to work on a
4 partial schedule starting on January 2, 2019; is
5 that correct?

6 A. Yes, sir.

7 Q. And that Schneider had been
8 accommodating you working three out of your
9 scheduled four days since January 2, 2019; is
10 that correct?

11 A. Correct.

12 Q. And then you see there's three bullets
13 there?

14 A. Yes, sir.

15 Q. Did you agree with the timeline and the
16 accommodations that were granted?

17 A. Yes, sir.

18 Q. And then it states on April 1, 2019 we
19 received updated information from your physician
20 that indicates you may be able to return to full
21 time on June 5, 2019 with three days in the
22 office and the other day working from home; do
23 you see that?

24 A. Yes, sir.

25 Q. And then Schneider goes on to state,

1 based on this information, carefully considering
2 your request for us to continue to accommodate
3 you, we are unable to continue accommodating a
4 partial schedule, right?

5 A. Yes, sir.

6 Q. And they denied your request for
7 additional accommodations, right?

8 A. Yes, sir.

9 Q. Okay. And you indicated that you --
10 that Travis provided you with a copy of this
11 letter on April 12, 2019 at 11:15 p.m.?

12 A. Yes, sir.

13 Q. Okay. And you said it was in the
14 one-on-one room?

15 A. Yes, sir.

16 Q. And that was in your office -- or at the
17 office facility?

18 A. Yes, sir.

19 Q. Okay. And who was present for that
20 meeting?

21 A. It was me and Travis in the one-on-one
22 room. Sarah Kopf was outside in the office area
23 with a driver. Wendy was in there. The driver's
24 name is Wendy.

25 Q. Well, who was in the room when you were

1 speaking with Travis? Was it you and Travis?

2 A. Just me and Travis.

3 Q. Okay. And as best you can recall, what
4 was said during that meeting and by whom?

5 A. He asked me how I was doing, and then I
6 was like, oh -- like we always joke. Everybody
7 had a little joke when we go into the one-on-one
8 room, like what happened now? Like that's what
9 we always do. And so I was like, uh-oh, what's
10 wrong? He was like, oh, nothing, but I need to
11 talk to you, and he had more of a serious look on
12 his face, and then he handed me this paper. I
13 read it and he was like so we can no longer
14 accommodate you, so we need you to turn in your
15 laptop and everything tonight.

16 Q. Did you say anything?

17 A. Yeah, I said something. I said how dare
18 you do this to me when you know what predicament
19 I'm going through and then how much I have helped
20 out the team. And I said it's some bull crap. I
21 had to call my mom because she had to calm me
22 down, because I was about to go into a manic
23 rage.

24 Q. Did Travis say anything in response?

25 A. He said it was out of his hands and out

1 of his control, he tried his best. And I said,
2 no, you didn't. You didn't try your best because
3 you would've come to me and had another step to
4 help me.

5 Q. Anything else that you can recall in the
6 conversation you had with Travis on that day?

7 A. I remember I left my termination letter.
8 I had to come back and get it and he put my
9 termination on a sticky note in a folder on a
10 piece of tape outside the door and locked the
11 door so I wouldn't come back into the front --
12 onto the -- into the office, so I had to pick up
13 the paperwork on the porch.

14 Q. Anything else that you can recall?

15 A. I was very upset. I even had to call my
16 psychiatrist that night at 12 o'clock at night.

17 Q. Why do you believe Schneider denied your
18 accommodation requests as of April 12, 2019?

19 A. I don't think they wanted to deal with
20 me.

21 Q. I'm sorry?

22 A. I didn't think they wanted to deal with
23 me any longer.

24 Q. Why not?

25 A. Because right after I was terminated,

1 they moved somebody from first shift to third
2 shift and hired two more people. I thought they
3 just didn't want to deal with me no more, to be
4 quite honest.

5 Q. What do you mean when you say they
6 didn't want to deal with you any longer?

7 A. Deal with my circumstance.

8 Q. And what do you mean when you say your
9 circumstance?

10 A. Deal with my mental health situation and
11 my health concerns -- [inaudible] -- me as an
12 employee, a human being.

13 Q. Do you know who made the decision to
14 deny your continued accommodation requests?

15 A. Travis told me that night it was out of
16 his control, so I just thought it was just upper
17 management, which is Marianne and I thought it
18 was HR, that's the only way I can think of it at
19 that time. But specifically, no, sir.

20 Q. We can go to the next exhibit. It's
21 Schneider 24 through 26.

22 A. Yes, sir.

23 Q. During the time period of February 14,
24 2019 through April 12, 2019, do you -- do you
25 know who was performing the job duties that you

1 would typically perform on that fourth day that
2 you would normally work?

3 A. It was probably between, like I stated
4 earlier, Travis, Audrianne, Desmond. One of them
5 three. And since Audrianne was already out on
6 leave, it was between Desmond and Travis at that
7 time.

8 Q. And that would have been in addition to
9 their normal work schedule; is that right? As
10 far as you know?

11 A. Not -- not -- I know Desmond
12 specifically that's -- they -- that's his
13 schedule. Like they moved it around so everybody
14 can accommodate because Audrianne was out and
15 with my predicament as well, so they shift the
16 schedules around. There's only three people on
17 third shift other than the two temps, so you only
18 was working with three technically if Travis
19 didn't show up. So if he was working second
20 shift, he wouldn't do third shift sometimes, or
21 sometimes he'll pull a double shift. If he
22 couldn't cover the third, then we by ourselves.

23 Q. Okay. If Travis or Desmond had to work
24 on that Sunday that you would normally work, that
25 would be in addition to the work that they would

1 normally perform on that day; is that correct?

2 A. I don't understand that question. I'm
3 sorry.

4 Q. Sure. If Desmond was scheduled to work
5 on Sunday and you because of your modified
6 schedule we're not working on that Sunday, then
7 Desmond would do his work and the work that was
8 normally assigned to you; is that right?

9 A. Correct. Yes.

10 Q. And same thing with Travis. If he was
11 either off on that Sunday or already scheduled on
12 that Sunday and he was doing the work that you
13 normally would do on Sundays, he was doing twice
14 as much work as he normally would do, correct?

15 A. Correct. And vice versa if they were
16 out on the days I had to work on Wednesday,
17 Thursday and Friday.

18 Q. Let's go to Exhibit 23, and this is a
19 fax that's dated April 27, 2019. It looks like
20 it was sent from Dr. Wanzo to Schneider's HR
21 leave administration team; is that correct?

22 (Plaintiff's Exhibit 23 was
23 marked and identified.)

24 A. Yeah, they had sent this over to her
25 after my termination to get more information from

1 her and I took the -- I think they -- no, they
2 faxed this over to her, I believe, or they sent
3 her a packet.

4 Q. If you can go to Exhibit 20. Do you
5 have that in front of you?

6 A. No. I'm sorry. What page is that?

7 Q. Exhibit 20 is Schneider 315.

8 A. Thank you. I did not know I was
9 supposed to be writing on --

10 Q. You're not. You're not.

11 A. Okay.

12 Q. You're not.

13 A. Okay. That's the one -- 305. I think I
14 just saw it.

15 Q. It's just 315. It's a letter from
16 Schneider dated April 2, 2019.

17 A. I'm sorry. I really just saw it and
18 then my fingers just -- here it is. I know.
19 That's what I'm mad at because I flipped the
20 whole packet.

21 Okay. And you said three what again?

22 MS. LEGARE: Three hundred and fifteen.

23 THE WITNESS: Yes, I got it.

24 BY MR. MILIANTI:

25 Q. Okay.

1 A. Yes.

2 Q. All right. Okay. And if you look near
3 the end of that letter, just before the bold it
4 says, please state the below physician statement
5 to your doctor to complete the additional
6 questions that are needed for your accommodation
7 extension requests.

8 A. Right.

9 Q. Please provide me with the requested
10 information from you and your health care
11 provider by no later than April 8, 2019, right?

12 A. Okay. Yes, sir.

13 Q. Okay. And then if you go to Exhibit 22
14 -- I'm sorry -- 23, the document we were just
15 looking at.

16 A. Yes, sir.

17 Q. Is this the physician statement that was
18 attached to Schneider's April 2, 2019 letter?

19 A. April 2nd? It should have been -- give
20 me one second.

21 Q. Sure.

22 A. I guess this was documents -- because
23 remember I didn't get it on the 2nd, so it came
24 like -- any time Schneider sent me anything --
25 I'm going to let you know this now -- it takes

1 four days to get to my house. So on the 2nd, but
2 possibly this was it. I thought it was, like, a
3 regular return-to-work form that we were looking
4 at earlier. That's what I was expecting, so my
5 apologies on that.

6 Q. All right. And Exhibit 23, do you
7 recall providing this Schneider document with
8 questions for your physician to Dr. Wanzo?

9 A. I believe I dropped it off to her.

10 Q. Okay. Did you go over these questions
11 with Dr. Wanzo?

12 A. I don't recall at this time.

13 Q. Did she discuss her responses with you;
14 do you recall?

15 A. I'm not familiar with this right now, to
16 be honest.

17 Q. Okay. All right. It states at the top,
18 "Dear Physician, on 4/1/2019, you provided a
19 return-to-work form that indicated that Cierra
20 Geter needs to remain working a partial schedule
21 of three days per week through June 5, 2019. We
22 have been accommodating Cierra working three days
23 per week since January 2, 2019." Did I read that
24 correctly?

25 A. Yes, sir.

1 Q. And you agree with those statements?

2 A. Yes, sir.

3 Q. Okay. And then this document goes on to
4 ask your physician specific questions relating to
5 your condition and accommodation requests, right?

6 A. Yes, sir.

7 Q. And if you turn the page, this was
8 signed by Dr. Wanzo on April 27, 2019?

9 A. Yes, sir.

10 Q. Is that what it looks like to you?

11 A. Yes, sir.

12 Q. All right. And then question two says,
13 provide a statement of any specific duties that
14 Cierra is unable to perform because of a medical
15 condition. Provide information as to why she
16 cannot return to work full time. And Dr. Wanzo
17 states, she is unable to work well in a
18 fast-paced, high pressure environment. Did I
19 read that correctly?

20 A. Yes, sir.

21 Q. And do you agree with that statement?

22 A. Yes, sir.

23 Q. Did you discuss that with Dr. Wanzo that
24 you had difficulty working in a fast-paced, high
25 pressure environment?

1 A. Yes, sir.

2 Q. And you had difficulty working in a
3 fast-paced, high pressure environment since the
4 time you returned on January 2, 2019, right?

5 A. Yes, sir.

6 Q. And you had difficulty working in a
7 fast-paced, high pressure environment prior to
8 January 2, 2019, correct?

9 A. Correct.

10 Q. Okay. And your difficulty in working in
11 a fast-paced, high pressure environment -- when
12 did that start? When did you start having
13 difficulty working in a fast-paced, high pressure
14 environment; do you recall?

15 A. How far back we can go? When Greg
16 Cochran was my manager.

17 Q. And what time period would that have
18 been?

19 A. 2014 through the time he was -- 2014
20 through -- yeah, 2014 until February of 2016.

21 Q. If you turn to the next page --

22 A. Uh-huh. (Affirmative). Yes, sir.

23 Q. I'm sorry. If you can go to number
24 three -- question number three, it says that
25 you're currently working Wednesday, Thursday and

1 Friday. Is there a different day that she is
2 available to work if she can work four days? Can
3 she work Monday through Friday, eight-hour
4 schedule? And Dr. Wanzo states, she's unable to
5 work a Monday through Friday schedule; do you see
6 that?

7 A. Yes, sir.

8 Q. Did you ever discuss working a Monday
9 through Friday schedule for eight hours with
10 Dr. Wanzo?

11 A. She asked how come we did not have that
12 type of schedule. And I stated to her we was on
13 four tens. We switched to four tens in 2018 as a
14 team, and then some people requested to go back
15 to five days because of some people personal
16 schedules they had conflicts with. So some
17 people kept a four ten schedule and some people
18 went to a five-day schedule.

19 Q. Do you believe you could have worked a
20 five-day, eight-hour schedule?

21 A. I could have did a four-hour -- a
22 four-day, ten-hour day, not five.

23 Q. If you turn the next page question five,
24 what is the total length of time the patient will
25 need to work three days per week from this point

1 forward in your best professional estimate; do
2 you see that?

3 A. Yes, sir.

4 Q. And Dr. Wanzo wrote two to three months;
5 is that right?

6 A. Yes, sir. I see that.

7 Q. Did you -- did you discuss that with
8 Dr. Wanzo?

9 A. No, sir, I did not.

10 Q. Did you agree with her assessment?

11 A. For two to three months the length of
12 time total from the beginning of my time period
13 out?

14 Q. I believe it would be -- from this point
15 forward would be from the date of this letter,
16 4/27/2019, or the day that Dr. Wanzo signed the
17 letter.

18 A. Okay. So to the point she was leaving
19 for June 29th, which was the last day she sent in
20 for HR, I believe, so the two months would be
21 accurate from April. But like I stated earlier,
22 I wasn't requesting to be off or anything. I was
23 just telling her the circumstances of my
24 environment at work.

25 Q. If we can go to the next document, it's

1 Bates CG-64 through 66.

2 (Plaintiff's Exhibit 24 was
3 marked and identified.)

4 A. Yes, sir.

5 Q. Okay. And this is another fax that
6 Dr. Wanzo sent to the Hartford; is that right?

7 A. Yes, sir.

8 Q. And if you turn to the last page of this
9 document, it appears to be signed by Dr. Wanzo on
10 June 26, 2019; is that right?

11 A. Yes, sir.

12 Q. Do you recall going over this attending
13 physician's statement with Dr. Wanzo?

14 A. Yes, sir. Because Hartford needed it
15 because I applied for long-term disability back
16 in April.

17 Q. Okay.

18 A. So this is a continuation of that
19 process.

20 Q. All right. And if you turn to the third
21 page of this exhibit under functionality --

22 A. Yes, sir.

23 Q. -- do you see where it says, if yes
24 specify what activities are impaired and how; do
25 you see that?

1 A. Yes, sir.

2 Q. And it says ability -- Dr. Wanzo wrote
3 ability to work in a fast-paced, high pressure
4 environment, right?

5 A. Yes, sir.

6 Q. Okay. And you agree with that
7 statement?

8 A. Yes, sir.

9 Q. And as of June 26, 2019, you agreed that
10 you had -- you were impaired in your ability to
11 work in a fast-paced, high pressure environment?

12 A. I wasn't impaired, but I could work in
13 an environment just not high -- fast-paced.
14 Especially with the circumstances that was
15 presented to me with lack of staffing where I
16 kept requesting my management team to help me and
17 even help themselves as a team during that entire
18 process.

19 Q. And a little bit -- a couple of
20 questions below that it says, what are your
21 patient's current abilities? What type of work
22 can your patient perform? And Dr. Wanzo wrote,
23 work three days per week, ten-hour days, work two
24 days of the three from home; do you see that?

25 A. Yes, sir.

1 Q. And did you agree with her assessment?

2 A. I agreed with work from home when I told
3 her the circumstances if I was to work by myself
4 as I, you know, stated earlier when I spoke to
5 Travis back in February about that and early
6 March. So that's what that was based upon, but I
7 didn't tell her to specifically, you know, say
8 that.

9 Q. Okay. But did you agree with her that
10 you needed to work -- that your current abilities
11 allowed you to work three days per week, ten-hour
12 days?

13 A. Correct.

14 Q. Okay. And it asks, what is your target
15 date for return to work for your patient, and she
16 said on a part-time basis, August 26, 2019,
17 right?

18 A. Right.

19 Q. And then it says, if part time on what
20 date will your patient be able to increase to
21 full time. And Dr. Wanzo wrote, September 23,
22 2019, right?

23 A. Yes.

24 Q. Okay. And you agree with that statement
25 that as of September 23, 2019 you would be able

1 to return to work in a full-time capacity?

2 A. I stated to her specifically that I was
3 able to return in June, but I can't go by her
4 assessment because she's the physician, so it's
5 up to her to make that request as well.

6 Q. Well, did you disagree with her when she
7 said she thought you could return to full-time
8 work on September 23, 2019?

9 A. I'd be full -- I thought I was going to
10 be full time before then, to be honest. I
11 didn't --

12 Q. Did you tell her --

13 A. Go ahead. I'm sorry.

14 Q. Did you tell her not to write in
15 September 23, 2019?

16 A. I didn't tell her to do nothing because
17 I wasn't in the office when she wrote this one
18 out, specifically, because I don't remember this
19 sheet. I remember just talking to her and
20 handing her the documents and she was like, okay,
21 I'm going to fill it out. I'll turn it into
22 Hartford. Because I know she just have her note
23 -- you know, like her notepad, and she -- you
24 know, she's writing her doctor notes the whole
25 time when I'm sitting there.

1 Q. Well, when did you receive this
2 document?

3 A. This is after I was terminated, so the
4 same week actually I was termed. I got this,
5 like, on the 10th and I was termed the 12th.

6 Q. You received this -- this document is
7 dated June 26, 2019. Do you recall when you
8 would have received this document?

9 A. Oh, that document in particular. I'm
10 sorry. I'd have to look at my e-mail from
11 Hartford and I can get you that date
12 specifically.

13 Q. Okay. Well, when you received this
14 document, would you have reviewed it?

15 A. Excuse you?

16 Q. When you received this document, would
17 you have reviewed it?

18 A. Yeah, it wasn't -- it wouldn't have been
19 filled that out. It'd be blank. That's what I'm
20 saying. So it wasn't going to be full when I
21 received it.

22 Q. When did you receive a completed,
23 filled-out copy of this document?

24 A. She filled it out on the 26th. I
25 probably got a copy of it late June or early

1 July, but I still would have to go back. I'm not
2 going to give you a falsified date.

3 Q. Okay. So the best you can recall is
4 late June, early July 2019?

5 A. Yes, sir.

6 Q. All right. And would you have reviewed
7 your doctor's responses to the questions
8 contained in this document?

9 A. Correct.

10 Q. All right. And when you saw that your
11 doctor indicated that you could return to
12 full-time work as of September 23, 2019, did you
13 call up your doctor and disagree with her?

14 A. No, sir, because I was already
15 disgruntled. This is almost two months after I
16 was terminated. I was highly upset at Schneider.

17 Q. Did you contact the Hartford and tell
18 them that you didn't think that you thought you
19 could return to full-time work prior to September
20 23, 2019?

21 A. When I called the Hartford and told them
22 I was terminated, they was dismayed and they
23 couldn't believe I was terminated. I understand.
24 I understand.

25 Q. When you received this document and your

1 physician wrote that you could return to
2 full-time work on September 23, 2019, did you
3 contact the Hartford and tell them that you
4 disagreed with that?

5 A. No, sir.

6 Q. Ms. Geter, are you aware of any area
7 planning managers who requested a reduced work
8 schedule for approximately six months?

9 A. To my knowledge, yes, sir.

10 Q. Who?

11 A. Tiffany Kitchens and the young lady we
12 spoke about earlier with the cancer treatment,
13 Candis Smith.

14 Q. Anyone else?

15 A. Other than maternity leave for
16 Audrianne. She was pregnant twice, so that's a
17 six to eight-week time period on that. But other
18 than that, that's it.

19 Q. Okay. And Audrianne, she was out on
20 leave due to the birth of her children; is that
21 right?

22 A. Yes, sir. Correct.

23 Q. And she was out on a continuous leave of
24 absence for six to eight weeks; is that your
25 understanding?

1 A. Correct.

2 Q. Okay. And do you know whether or not
3 those absences were covered under the FMLA?

4 A. Yes, they were.

5 Q. Okay. And those are the leaves to which
6 you're referring with respect to Ms. Williams; is
7 that correct?

8 A. Yes, sir.

9 Q. All right. And Tiffany Kitchens, what
10 job position did she have?

11 A. Area planning manager, first shift.

12 Q. First shift?

13 A. Yes, sir.

14 Q. And do you know who she reported to?

15 A. Doug Horton -- I'm sorry. Rodney Dunn,
16 because she was over Jacksonville.

17 Q. Rodney Dunn?

18 A. Yes. I'm sorry. R-o-d-n-e-y; D-u-n-n.

19 Q. And do you know what her regular work
20 hours would be?

21 A. Her hours she'll come in at 6:30 in the
22 morning and leave at 4:30 in the evening. 3:30
23 to 4:30 depending on what's going on in her
24 market.

25 Q. And how do you know that?

1 A. Because I was on third shift and I had
2 transferred the markets. If I had her markets
3 the night before, I'm the person she has to talk
4 to. Third and first shift communicates --

5 Q. Do you --

6 A. Uh-huh. (Affirmative). Go ahead. I'm
7 sorry.

8 Q. Do you know what days of the week she
9 would work?

10 A. It was Monday through Friday because
11 first shift never worked weekends. They just --

12 Q. She worked a Monday --

13 A. I'm sorry.

14 Q. -- through Friday schedule, 6:30 a.m. to
15 3:30, 4:30 p.m.?

16 A. Yes, sir.

17 Q. Okay. And when -- when do you believe
18 she took a reduced -- or started working a
19 reduced schedule?

20 A. I believe that was -- I started noticing
21 it around, like, July or August of 2018.
22 Everybody started noticing she wasn't coming to
23 work a lot, and then we just started inquiring is
24 she okay, and then we found out she was out on
25 leave.

1 Q. Do you know why she was out on leave?

2 A. Her parents were ill, and she was going
3 through a mental distress as well -- mental
4 health distress as well.

5 Q. Do you know if she took time off under
6 the FMLA?

7 A. Yeah. I didn't see her for, like, a
8 good month to two months almost.

9 Q. Do you know one way or the other whether
10 she took time off under the FMLA?

11 A. No, sir. But for that time -- that
12 amount of time, we don't have that amount of time
13 on our time off for personal time off. We're
14 only allotted -- she was hired -- rehired August
15 of 2014 a month after me, so that's how I know I
16 have the seniority far as time-wise. How we get
17 our time, we get on that same scale, so we had
18 the same amount of time. So she wasn't allotted
19 that. In order to be out that amount of time you
20 have to be on FMLA.

21 Q. And you said you believe that she was
22 not coming into work a lot beginning in July or
23 August of 2018; is that right?

24 A. Yes, sir. She was starting to work
25 reduced hours. Like her days instead of five

1 days, you'll see Tiffany three days a week.

2 Q. And how long was she working a -- do you
3 believe she was working a reduced schedule?

4 A. For a while. Even when I came back on
5 July -- in January she was doing at least once a
6 week she wasn't coming in to help with her
7 parents, I believe.

8 Q. Do you know if she had any time
9 available under the FMLA during the July, August
10 2018 through January 2019 time period?

11 A. No, sir. That was none of my business.

12 Q. Do you know what specific days she was
13 off during the July 2018 through January 2019
14 time period?

15 A. No, sir, not specifically.

16 Q. Do you know the specific circumstances
17 of her time off during the July 2018 through
18 January 2019 time period?

19 A. The reason for her time being off? Is
20 that the premise of the question?

21 Q. Do you know the specific -- I'll
22 rephrase it.

23 Do you know the specific days that she would
24 have been off during the July 2018 through
25 January 2019 time period?

1 A. No, sir, I do not recall that, but I do
2 remember when she first -- when it first started
3 becoming noticeable, she was missing days, like a
4 few weeks at a time and we was looking for her,
5 like making sure she was okay.

6 Q. And you believe --

7 A. Inquiring as a team. Uh-huh.
8 (Affirmative).

9 Q. Do you believe Ms. Kitchens returned to
10 a full-time schedule in January of 2019?

11 A. No, sir.

12 Q. No, sir? I'm sorry?

13 A. No, sir.

14 Q. When do you believe she returned to a
15 full-time schedule?

16 A. I just know on certain days until the
17 time I was terminated, Tiffany was allowed to
18 work at home some days and she was off on some
19 days. So I don't have a specific time period for
20 that. Travis would definitely know that, and
21 Rodney would know that.

22 Q. So you don't know when she would have
23 returned to a full-time schedule; would that be
24 an accurate statement?

25 A. Yes, sir, that's correct.

1 Q. You weren't charged with approving any
2 of her time off, were you?

3 A. I'm sorry?

4 Q. You weren't charged with approving any
5 of her time off; is that correct?

6 A. No, sir, I was not.

7 Q. Okay. And you wouldn't have access to
8 her time records as to when she had -- when she
9 took time off; is that correct?

10 A. That is correct. Only management and HR
11 has those abilities.

12 Q. And is it your understanding that
13 Ms. Kitchens instead of working five days a week
14 was working a set schedule of four days a week or
15 three days per week?

16 A. Correct.

17 Q. That was your understanding; it was a
18 set schedule?

19 A. It wasn't a set schedule, not to my
20 understanding. It was just when I saw her, I
21 started noticing, oh, she's only here twice a
22 week, oh, she's here three days a week, but it
23 wasn't a set schedule.

24 Q. Do you know if Ms. Kitchens had
25 requested any type of a workplace accommodation

1 during the July 2018 through January 2019 time
2 period?

3 A. No, sir, not to my knowledge.

4 Q. Do you know who would've approved any
5 requests by Ms. Kitchens to work a reduced
6 schedule?

7 A. Yes. Rodney Dunn and Marianne
8 Biskey-Rose.

9 Q. What is Ms. Kitchens' race?

10 A. Caucasian.

11 Q. Okay. Other than Ms. Kitchens -- one
12 second. You mentioned Ms. Kitchens and Candis
13 Smith --

14 A. Yes, sir.

15 Q. -- you believe were permitted to work a
16 reduced schedule, right?

17 A. Yes, sir. And also, can I add one more
18 person? I'm sorry.

19 Q. Sure.

20 A. Sarah Kopf, she was allotted to --
21 during her divorce and dealing with her children
22 during that time period, she was allotted to help
23 with her schedule to work from home remotely when
24 she couldn't have childcare if her ex-husband
25 couldn't ascertain the kids at that time. So she

1 would request to work from home on those
2 particular days even afterwards after I left. I
3 know of this because she told me herself. She
4 was like, yeah, Travis had to let me take off on
5 this day. I was like, oh, okay.

6 Q. And we've already discussed Ms. Smith
7 and the circumstances surrounding her time off;
8 is that correct?

9 A. Yes, sir.

10 Q. And Sarah Kopf, who did she report to?

11 A. Travis Torrence, Doug Horton and
12 Marianne Biskey-Rose. That's her chain of
13 command.

14 Q. All right. And you said that she was
15 permitted to work from home?

16 A. Yes, sir.

17 Q. Do you know if Ms. Kopf ever worked a
18 reduced schedule?

19 A. Not a reduced schedule, to my knowledge,
20 but she was -- when days where she needed to work
21 remotely, they granted it to her.

22 Q. And what shift did she work?

23 A. Second shift.

24 Q. Other than Ms. Kitchens and Ms. Smith,
25 any other area planning manager whom you believe

1 was permitted to work a reduced schedule?

2 A. No other person in the office had any
3 other medical or any other issues that I remember
4 that was out like that, so no, sir.

5 Q. And you said that Ms. Kopf was permitted
6 to work from home. Do you know how long she was
7 permitted to work from home? How long this
8 accommodation was provided?

9 A. All the way into COVID.

10 Q. When did it start?

11 A. When did she start working? So it had
12 to be around, I believe, spring -- no, fall of 20
13 -- no. It was starting spring of 2018 she was
14 having difficulties with her ex-husband around
15 that time with the scheduling with the kids, and
16 then if a scenario popped up with the kids --
17 that was give or take once or twice a month from
18 that point on and then she'll work from home on
19 those days. Yeah, she'll work from home.

20 Q. So with respect to Ms. Kopf, it's your
21 testimony that beginning in the spring of 2018,
22 she was permitted to work from home one or two
23 days a month to care for her children?

24 A. To help accommodate. Yes, sir. Working
25 remote from home. Uh-huh. (Affirmative).

1 Q. She was permitted to work from home one
2 or two days a month from the spring of 2018 until
3 the start of COVID?

4 A. Yes, sir. And then the entire staff was
5 remote.

6 Q. And that would have been the spring of
7 2020 would be the start of COVID?

8 A. Yes, sir.

9 Q. Okay. So it's your testimony that from
10 the spring of 2018 to the spring of 2020 Ms. Kopf
11 was permitted to work from home one or two times
12 a month to care for her children?

13 A. Yes, sir.

14 Q. What evidence do you have in support of
15 your contention?

16 MS. LEGARE: Objection.

17 A. I spoke with her on the phone
18 personally. Like she'd checked on me and I'd
19 check on her and the kids, just how we always
20 did, and she'd bring it up in conversation.
21 Yeah, I had to take off on this day or I had to
22 work from home. I'm like, oh, okay.

23 BY MR. MILIANTI:

24 Q. So she would tell you in conversations
25 that she would have to work from home?

1 A. Yes, sir.

2 Q. And you deduced based on those
3 conversations that it was one or two times a
4 month?

5 A. Yes, sir. Because she would tell me --

6 Q. Any other evidence you have in support
7 of your contention that she was permitted to work
8 from home one or two days a month since from the
9 spring of 2018, spring of 2020?

10 A. No, sir. The evidence would have to
11 come from Schneider on that part. Because our
12 logins on our laptop shows where we log in at.

13 Q. Other than Ms. Kopf, any other area
14 planning managers you believe were permitted to
15 work from home?

16 A. Due to what circumstance? Can I ask
17 that question for you?

18 Q. Sure. Any area planning managers who
19 were permitted to work from home on any type of a
20 regular basis?

21 A. The entire staff there.

22 Q. The entire staff regularly worked from
23 home?

24 A. Not regularly, but they didn't have a
25 problem if you've called out sick if you didn't

1 want to use your sick leave, or let's say you was
2 out of town when you couldn't make it back in
3 town, but you took your laptop with you, which
4 some people would do, and you'd be like, hey, I
5 can't make it. I'm working in North Carolina
6 this week. Okay. And they'd allow them to work
7 remotely.

8 Q. Are you aware of any area planning
9 managers who were permitted to work from home one
10 day per week?

11 A. As a schedule?

12 Q. Yes.

13 A. No, sir.

14 Q. Were you aware of any area planning
15 managers who were permitted to work from home one
16 day every two weeks?

17 A. No, sir. Other than what I saw from
18 Tiffany Kitchens, like from what I saw, no.

19 Q. Would it be accurate to say that area
20 planning managers were permitted generally to
21 work from home if they were ill or if some type
22 of an emergent circumstance came up --

23 A. Yes, sir.

24 Q. -- would that be accurate?

25 A. Yes, sir. Because they even had us

1 leave the premise when, like, we have tornado
2 warnings in the area. They have us move from
3 that location because we're in a triple wide
4 trailer to the hotel, like, two miles away to be
5 in a commercial building instead of going home.
6 So they'll have us probably go there if it's like
7 a storm, but still work remotely. And if the
8 storm gets too bad, they'll tell everybody to go
9 home once it's permissible. And then if we had
10 ice or sleet and Atlanta shuts down for that, we
11 can work from home. And that happened on two
12 occasions -- three occasions while I was employed
13 with Schneider for five years just with the ice
14 alone.

15 Q. Do you know if your position was
16 replaced or if somebody replaced you?

17 A. Ryan Wheeler was moved from first shift
18 to third shift to cover me.

19 Q. How do you know that?

20 A. Because he told me.

21 Q. Do you know if anyone was hired to
22 replace your position on third shift?

23 A. I can't remember her name. I don't know
24 if she's no longer there, but it was a young lady
25 they hired right after me to cover my shifts.

1 She came in at 2:00 a.m., which I requested
2 Travis at that time have somebody come in
3 mid-shift from 2:00 a.m. to 10:00 a.m. to cover
4 the latter part of my shift, which is the
5 eight-hour period of my shift.

6 Q. Do you know that person's name?

7 A. I do not know her name because she was
8 not hired when I was there, but I can try to
9 acquire that for you.

10 Q. Do you know her race?

11 A. African American.

12 Q. Do you know how long she worked -- do
13 you know if she's still employed at Schneider?

14 A. I don't know that specifically.

15 Q. Do you know who hired her?

16 A. Travis Torrence and -- she had to go
17 through Travis, Doug and Marianne because that's
18 the hiring process.

19 Q. And do you have any personal knowledge
20 as to who would have hired her?

21 A. No, sir.

22 Q. Can you go to your charge of
23 discrimination? It's Bates-stamped Schneider
24 252.

25 A. Yes, sir.

1 Q. Let's mark this as Plaintiff's
2 Deposition Exhibit number 25.

3 MS. LEGARE: Hey, Pete?

4 MR. MILIANTI: Yes?

5 MS. LEGARE: Can we take a five-minute
6 break?

7 MR. MILIANTI: Yes.

8 (Break taken from 4:44 p.m. to 4:59 p.m.)

9 BY MR. MILIANTI:

10 Q. All right. Ms. Geter, are you ready to
11 resume your testimony?

12 A. Yes, sir.

13 Q. You should have in front of you
14 Schneider 252, which is your charge of
15 discrimination, which is marked -- will be marked
16 as Plaintiff's Deposition Exhibit number 25. And
17 is that your signature at the bottom?

18 (Plaintiff's Exhibit 25 was
19 marked and identified.)

20 A. Yes, sir.

21 Q. And it's dated April 18, 2019?

22 A. Yes, sir.

23 Q. Okay. And if you look in the middle it
24 says, discrimination based on, and you checked
25 the boxes for race and disability; is that right?

1 A. My point of contact at EEOC did, but
2 yes.

3 Q. Okay. EEOC checked those two boxes on
4 your behalf?

5 A. Yes, sir.

6 Q. Okay. Who prepared -- well, first of
7 all, do you see the section that states what the
8 particulars are?

9 A. Yes, sir.

10 Q. Okay. Did you draft that?

11 A. I did a written statement at EEOC office
12 here in Atlanta.

13 Q. All right. And did they then take your
14 statement and draft the particulars as reflected
15 here in Exhibit 25?

16 A. Yes, sir. Section one and section two,
17 and then, of course, I agree to section three as
18 well.

19 Q. Okay. And does this accurately reflect
20 the charges of discrimination that you intended
21 to bring against Schneider as of April 18, 2019?

22 A. Yes, sir.

23 Q. You can go to the next exhibit, which is
24 your complaint.

25 A. Yes, sir.

1 Q. I will mark this as Plaintiff's
2 Deposition Exhibit number 26. Did you review
3 this complaint before it was filed?

4 (Plaintiff's Exhibit 26 was
5 marked and identified.)

6 A. Yes, sir.

7 Q. Okay. If you'd like, please go ahead
8 and take some time to look at it, but does this
9 complaint accurately and truthfully reflect the
10 allegations you've raised against Schneider?

11 A. Yes, sir.

12 Q. And one of the claims that you're
13 bringing against Schneider in this lawsuit is
14 that you believe you've been discriminated
15 against because of your race; is that right?

16 A. Correct.

17 Q. And what are the facts that you believe
18 support your claim that you were discriminated
19 against because of your race?

20 A. Because from my experience working there
21 for five years and what I have witnessed with my
22 own two eyes I just saw the discrepancies on how
23 people were treated. And the year of 2018
24 specifically I can recall -- I remember looking
25 at the calendar and I was like, how come the

1 management -- even though management -- I know
2 they are allotted the same amount of time as us
3 sometimes, like the -- your time is dependent on
4 your seniority and stuff.

5 So when I started noticing when my
6 management team started taking off more and
7 leaving us, you know, when we needed help
8 sometimes, and then I started noticing my other
9 coworkers of other races was taken off more or
10 they had certain circumstances and they were
11 accommodated. I just took note of that -- mental
12 note of it.

13 Q. So you believe you were discriminated
14 against because of your race because your
15 management team was permitted to take more time
16 off than you?

17 A. Not just me, just the entire staff. I
18 noticed that Travis, I believe, was off that year
19 -- because I looked at the calendar, I looked at
20 the days and I counted one night everybody's time
21 and it was 80 -- I think it was 82 days total
22 around that time. I knew he was covering for
23 Candis because she was out with her cancer
24 treatment, and then at that time, he was just
25 doing a lot of schedule maneuvering to

1 accommodate for second shift. So I knew why he
2 was taking a lot of time to, you know, make up
3 that time, but then at same time we're only
4 allotted maybe 25, 35 days a year.

5 Q. And you said that the management team
6 was permitted to take more time off than all the
7 other area planning managers; is that right?

8 A. That's correct.

9 Q. Okay. And some of those area planning
10 managers were white; is that right?

11 A. Yes, sir.

12 Q. Okay. Other than your belief that your
13 management team was permitted to take more time
14 off than area planning managers, any other ways
15 in which you believe you were discriminated
16 against because of your race?

17 A. I looked at my circumstances with
18 Tiffany Kitchens because we were hired around the
19 same time and I looked at how she was treated
20 compared to how I was treated. At the end she's
21 still employed, I'm not.

22 Q. Why do you believe that's tied to your
23 race?

24 A. [Inaudible] -- I might not know the
25 circumstances in particular with her specific

1 days off, but from my review of my environment,
2 she was being treated better, in my opinion,
3 because she still has her job.

4 Q. You believe she still has her job
5 because she's white; is that your testimony?

6 A. Yeah.

7 Q. And how do you believe she was treated
8 better than you?

9 A. She's working, I'm not. And I saw that
10 when she was off at that time, they accommodated
11 her and they accommodated me, but then in the end
12 I didn't have a job and I was working on my
13 mental health.

14 Q. So you believe she was treated more
15 favorably than you because she was accommodated
16 and you were not?

17 A. Correct. The entire management team is
18 white.

19 Q. Well, is that your basis for believing
20 you were treated differently because of your race
21 because you're black and the management team is
22 white?

23 A. Yes, sir.

24 Q. All right. And do you have any evidence
25 in support of your position that you were treated

1 differently because of your race other than the
2 management team is white?

3 A. Can you rephrase that for me? I'm
4 sorry.

5 Q. Sure. Do you have any evidence to
6 support of your race discrimination claim other
7 than the fact that the management team is white
8 and you're black?

9 A. So Tiffany was the main person I was
10 looking at that, and then also how they
11 accommodated Sarah Kopf. I had way more
12 seniority than Sarah. I helped train Sarah, and
13 then when she needed anything for her family or
14 her needs, they accommodated her without a
15 question of a doubt.

16 Q. So you believe you were discriminated
17 against -- strike that.

18 You believe you were discriminated because
19 of your race because Sarah and Tiffany were
20 accommodated for their conditions and you were
21 not; is that your testimony?

22 A. Yes, sir. To a certain extent because
23 they accommodated me until April 12th.

24 Q. Okay. Any other evidence you have in
25 support of your race discrimination claim other

1 than what you've already testified to?

2 A. That's the only thing unless I can get
3 you or you guys can get Schneider copies of their
4 scheduling.

5 Q. As you sit here today, any other
6 evidence you have in support of your claim that
7 you were discriminated against by Schneider
8 because of your race, other than what you've
9 already testified to?

10 A. Not at this time, sir, that I can
11 recollect.

12 Q. You're also claiming in this lawsuit
13 that you believe you were retaliated against in
14 violation of the Americans with Disabilities Act;
15 is that correct?

16 A. Yes, sir.

17 Q. How you believe Schneider retaliated
18 against you?

19 A. Because they fired me.

20 Q. Why do you believe they fired -- how do
21 they -- you believe Schneider terminated you,
22 why? Why do you believe Schneider terminated
23 you?

24 A. I believe they terminated me because
25 they didn't want to deal with my circumstance,

1 which was my mental health treatment and journey
2 of healing as an employee.

3 Q. Any other reasons?

4 A. Other than they didn't care. That's it.

5 Q. Other than what you've already testified
6 to here today, any other accommodations that you
7 requested from Schneider because of your medical
8 conditions?

9 A. The only other accommodation I ever
10 requested from Schneider is when I had my hand
11 surgery in 2015 where I was on FMLA for that.
12 But other than this particular FMLA case as far
13 as mental health, no, sir.

14 Q. Have you spoken with Ryan Wheeler since
15 the termination of your employment?

16 A. Yes, sir.

17 Q. And what have you spoken with him about?

18 A. What he's doing in his life.

19 Q. And how many times have you spoken with
20 Mr. Wheeler?

21 A. I speak to Ryan at least twice -- two to
22 three times a week.

23 Q. What information do you believe Ryan
24 Wheeler has in support of your claims against
25 Schneider?

1 A. How he was treated on first shift and
2 third shift and he had tense disagreements with
3 Doug and Travis.

4 Q. And what are those text messages have to
5 do with your claims against Schneider?

6 A. I didn't say text messages. I'm sorry.
7 I said tense disagreements.

8 Q. How do those disagreements with
9 management relate to your claims against
10 Schneider?

11 A. Whereas if another counterpart --
12 another Caucasian counterpart will suggest the
13 same things Ryan would suggest, they'll take that
14 person's word over Ryan's.

15 Q. And how does that support any of your
16 claims in this lawsuit?

17 A. Because the other person was Caucasian
18 and Ryan is African American.

19 Q. Any other ways in which you believe
20 Mr. Wheeler will support your claims in this
21 lawsuit?

22 A. He would support the claims of the
23 environment of how our work conditions were on
24 third shift. Because he was hired for third and
25 then he went to the first and then they had to

1 rearrange the schedule after they terminated me
2 to put him back on third, because he was one of
3 the people that understood the shift, as well as
4 I did and Desmond Seymour. I was the --

5 Q. Any other way --

6 A. -- the lead on third shift.

7 Q. Any other ways you believe Mr. Wheeler
8 will support your claims in this lawsuit?

9 A. I believe Ryan can just tell his side
10 from his viewpoint and he will -- I think he will
11 concur with the fact that it was some racial
12 tension -- not tension, but you can see the
13 little racial things they played in the office
14 and they thought no one could pay attention to
15 this.

16 Q. Who is Jowayn Worrell?

17 A. Jowayn Worrell is my boyfriend.

18 Q. What information does he have in support
19 of your claims against Schneider?

20 A. He witnessed me go through my breakdown
21 after I was terminated.

22 Q. Anything else?

23 A. He can tell you as from his perspective
24 how he saw things from a driver's perspective.

25 Q. Is Mr. Worrell still employed by

1 Schneider?

2 A. Yes, sir.

3 Q. When did you start dating him?

4 A. I started dating him May 14, 2019.

5 Q. After your termination of employment?

6 A. Yes, sir.

7 Q. Did you know him prior to May 14, 2019?

8 A. Yes, sir. He was one of the drivers on
9 the fleet.

10 Q. When did you meet him?

11 A. December 2017, I believe, when he first
12 started at Schneider.

13 Q. Did you have any text message or any
14 e-mail exchanges with Mr. Worrell relating to
15 your employment at Schneider?

16 A. I texted him the night I was terminated
17 just letting him know I was no longer his
18 dispatcher because I sent a text message to all
19 my drivers. And when he responded, he was like,
20 what you mean you're term? I was like, I'm no
21 longer your dispatcher. And that's the only
22 thing -- after then, it was all personal after I
23 was terminated.

24 Q. How about with Mr. Wheeler? Any
25 communications with Mr. Wheeler relating to your

1 employment at Schneider?

2 A. He thought it was messed up that I was
3 terminated. My entire team was not happy about
4 that. He said basically they had to hire the
5 girl, that I can't remember the name right now,
6 to fill in for me. And then he was telling me
7 that -- he was like, it's still the same crap.
8 He was like, they're not listening. And I was
9 like, I'm sorry.

10 Q. So my question was, do you have any
11 communications with him, any text messages or
12 e-mail exchanges with Mr. Wheeler relating to
13 your employment at Schneider?

14 A. Related, yeah, we were coworkers and
15 we're friends. But do you mean pertaining --

16 Q. Do you still have those messages?

17 A. I'm sorry. Do you mean pertaining to
18 this case, or pertaining to personal information?

19 Q. Pertaining to your employment at
20 Schneider.

21 A. Employment lately, no, sir. Probably
22 prior to --

23 Q. At any point in time --

24 A. Probably so.

25 Q. -- any communication with Mr. Wheeler

1 related to your employment at Schneider?

2 A. Yeah, I probably so from my old phones
3 and text messages. As coworkers we do
4 communicate.

5 Q. Who is Robert Best?

6 A. A former driver at Schneider.

7 Q. And what information do you believe
8 Mr. Best has in support of your claims against
9 Schneider?

10 A. How third shift was ran because he was a
11 third shift driver. And so he can, you know,
12 concur how if he comes in there's only one person
13 or two people working at night or how the
14 staffing was looking when he comes in to get his
15 paperwork or start his shift or any shift.

16 Q. Okay. You were terminated from
17 Schneider on April 12, 2019. Did you -- would it
18 be accurate to say that -- strike that.

19 Was there any period of time after your
20 termination of employment from Schneider where
21 you were unable to work?

22 A. No, sir. I was able to work afterwards.

23 Q. Did you search for any employment after
24 you were terminated from Schneider?

25 A. Yes, sir.

1 Q. Did you search for employment during the
2 time period you were receiving long-term
3 disability benefits?

4 A. Yes, sir.

5 Q. Where did you look for employment?

6 A. Amazon and I looked at -- Amazon and I
7 believe two logistics companies, and then I
8 started my school in June officially. So I was
9 studying -- my first herbalist school, I started
10 that in late May, early June and then I was
11 looking for work, and then around August
12 schoolworkmore intense.

13 I remember my unemployment ended and
14 everything and I was like, you know what, I'm
15 going to focus on school. And then when I got
16 school under my belt, meaning like I got used to
17 my schedule, I was like, okay, I'm going to go
18 back and see if I can get, like, a part time and
19 that's when COVID hit around, like, January or
20 February of 2020.

21 Q. Okay. So you started school in June of
22 2019; is that right?

23 A. Yes, sir.

24 Q. And by August of 2019 you decided to
25 focus on your schoolwork?

1 A. Yes, sir.

2 Q. Okay. So you voluntarily chose not to
3 seek employment beginning in August of 2019; is
4 that correct?

5 A. That's correct.

6 Q. Okay. And then you were going to start
7 looking for part-time work around the spring of
8 2020; is that right?

9 A. Yes, sir.

10 Q. Okay. And then COVID hit; is that
11 right?

12 A. Yes, sir.

13 Q. And you now consider yourself a
14 full-time student, right?

15 A. Yes, sir.

16 Q. So you've been a full-time student since
17 August of 2019?

18 A. Yes, sir.

19 Q. Have you had any -- have you held any
20 job since April 12th of 2019?

21 A. I'm sorry. I don't know what --

22 Q. Have you had any job -- have you held
23 any employment since your termination of
24 employment from Schneider?

25 A. No, sir.

1 Q. And you're not currently looking for a
2 job; is that correct?

3 A. Correct.

4 Q. So would it be accurate to say that you
5 haven't been looking for a full-time position
6 since at least August of 2019?

7 A. That is correct.

8 Q. You mentioned you received unemployment
9 compensation; is that right?

10 A. Yes, sir.

11 Q. Okay. When did you start receiving
12 unemployment compensation?

13 A. I believe it was June of 2019. It took
14 about six weeks to eight weeks.

15 Q. And how much did you receive in
16 unemployment compensation?

17 A. 306 a week.

18 Q. 306 a week?

19 A. (Shakes head up and down.)

20 Q. Is that a yes?

21 A. Yes, sir. I'm sorry.

22 Q. And for how long?

23 A. Until August of 2019.

24 Q. Until you decided to go to school full
25 time?

1 A. Yes, sir.

2 Q. And did you receive unemployment
3 compensation during the same time period that you
4 were receiving long-term disability benefits?

5 A. Yes, sir. And they adjusted the wages
6 for that. Hartford did.

7 MR. MILIANTI: Okay. If you can just
8 give me a second, I think I might be done.

9 (Break taken from 5:26 p.m. to 5:27 p.m.)

10 BY MR. MILIANTI:

11 Q. Ms. Geter, it's my understanding you
12 were on short-term disability until June of 2019;
13 is that correct?

14 A. Yes, sir.

15 Q. Okay. So from the termination of your
16 employment in April of 2019, you received
17 short-term disability benefits until June 2019?

18 A. Yes, sir.

19 Q. Do you know what the payment was for
20 those short-term disability benefits?

21 A. No, sir. But I can -- I can research
22 that for you and get that to you.

23 Q. Was it a percentage of your salary?

24 A. It was. It was based upon me going back
25 to work in that time period, so it was based upon

1 that schedule. So I just can't give you a
2 specific amount.

3 Q. And I believe you applied for a position
4 at Love Honey in February of 2019; does that
5 sound familiar?

6 A. Yes.

7 Q. What's Love Honey?

8 A. It's a sex toy company. It's a European
9 sex toy company that's made -- they have a
10 distribution place here in College Park. And
11 because of their work environment, I was looking
12 for an easier, less stressful work environment to
13 help with the situation if Schneider couldn't
14 accommodate.

15 Q. And were you interviewed for that
16 position?

17 A. No, sir.

18 Q. And did you also look for a position at
19 Canna Bistro?

20 A. Yes, sir.

21 Q. And what is Canna Bistro?

22 A. It's a cannabis-based company here in
23 Atlanta. It's black-owned and female-owned and
24 is a healthcare provider -- not healthcare
25 provider, but a healthcare supplement provider

1 for cancer patients and people with medicinal
2 marijuana cards for the state of Georgia.

3 Q. And when did you apply for employment?

4 A. I applied for -- not employment, but to
5 be a distributor for their products and also a
6 consultant.

7 Q. Did you interview for a position?

8 A. Yes. Not a position, but for that
9 particular opportunity.

10 Q. And were you retained?

11 A. Yes, but not for a long period of time
12 because it conflicted with my scheduling.

13 Q. And when did you start working for Canna
14 Bistro?

15 A. Not working for them, but I started
16 really, like, distributing, like, spring of 2019.
17 I was trying to -- that's when I was doing, like,
18 my research and obtaining information and going
19 to their events.

20 Q. So you were an independent contractor
21 for Canna Bistro?

22 A. Yes, sir.

23 Q. As a distributor/consultant?

24 A. Yes, sir.

25 Q. And that started in the spring of 2019?

1 A. Yes, sir.

2 Q. Were you still employed at Schneider at
3 the time?

4 A. Yes, sir.

5 Q. And what days did you work or perform
6 work for Canna Bistro?

7 A. I didn't perform work for them. I was
8 just signed up with that company so I could learn
9 from them, and then if they needed my expertise
10 as far as like -- they make treats and stuff. I
11 had a baking company, so they would call me and
12 say, hey, what would you suggest to go with this
13 type of flavor, and I would help them with that.

14 Q. Well, how frequently would you help them
15 in the spring of 2019?

16 A. Probably, like, three times that whole
17 time.

18 Q. Did you earn any income from Canna
19 Bistro?

20 A. No.

21 MR. MILIANTI: Okay. So that's all the
22 questions I have. Thank you very much for your
23 time, Ms. Geter.

24 THE WITNESS: Thank you.

25 MS. LEGARE: Morgan, how do I tell you

1 what we want for the transcript?

2 THE COURT REPORTER: So usually I just
3 ask if you want an e-Tran or a hard copy.

4 MS. LEGARE: I don't need a hard copy
5 and I don't need a mini, I hate them. Yeah, just
6 an e-Tran and the exhibits, full-sized.

7 THE COURT REPORTER: Peter, is an
8 e-Tran original okay with you?

9 MR. MILIANTI: Yeah, I do want a mini,
10 though.

11

12 (Deposition concluded at 5:34 p.m.)

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1 E R R A T A S H E E T
2
3 IN RE: CIERRA GETER,
4 Plaintiff,
5 vs.
6 SCHNEIDER NATIONAL CARRIERS, INC.,
7 Defendants.
8
9 CASE NO. 20-CV-01148-SCJ-JSA
10
11 DEPOSITION TAKEN ON: 3/9/2021
12
13 I have read the transcript of my deposition and
14 find that no changes are necessary.
15
16 _____
17 CIERRA GETER
18
19 Having read the transcript of my deposition,
20 I wish to make the following changes:
21 (Please state reason.)
22
23 Page / Line / Change / Reason
24 _____/_____/_____/_____
25 _____/_____/_____/_____
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15 _____/_____/_____/_____

CIERRA GETER

Sworn to and subscribed before me,
this ____ day of _____, ____.

Notary Public
My commission expires: _____

1 D I S C L O S U R E
2 STATE OF GEORGIA
3 COUNTY OF CHEROKEE
4 SCHEDULED DEPOSITION OF: CIERRA GETER
5

6 Pursuant to Article 10.B of the Rules and
7 Regulations of the Board of Court Reporting of
8 the Judicial Council of Georgia, I make the
9 following disclosure:

10 I am a Georgia Certified Court Reporter. I
11 am here as a representative of Magna Legal
12 Services. I am not disqualified for a
13 relationship of interest under provisions of
14 O.C.G.A. §9-11-28(c).

15 Magna Legal Services was contacted by the
16 office of McGuire Woods, LLP to provide court
17 reporting services for this deposition.

18 Magna Legal Services will not be taking this
19 deposition under any contract that is prohibited
20 by O.C.G.A. §15-47-37 (a) and (b).

21 Magna Legal Services has no Exclusive
22 contract to provide reporting services with any
23 party to the case, any counsel in the case, or
24 any reporter or reporting agency from whom a
25 referral might have been made to cover this
 deposition.

 Magna Legal Services will charge its usual
 and customary rates to all parties in the case,
 and a financial discount will not be given to any
 party to this litigation.

 This, the 9th day of March, 2021.

Morgan Spriggs
 Morgan Spriggs, CCR/CVR
 CCR number GA: 5920-2001-3003-5712

1 C E R T I F I C A T E

2 STATE OF GEORGIA)

3 CHEROKEE COUNTY)

4

5 I hereby certify that the foregoing
6 transcript was taken down as stated in the
7 caption, and the proceedings were reduced to
8 print under my direction and control.

9 I further certify that the transcript is a
10 true and correct record of the evidence given at
11 the said proceedings.

12 I further certify that I am neither a
13 relative or employee or attorney or counsel to
14 any of the parties, nor financially or otherwise
15 interested in this matter.

16

17 This, the 22nd day of March, 2021.

18

19



Morgan Spriggs, CCR/CVR

20

CCR No. GA: 5920-2001-3003-5712

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